

Anti-Guerilla Warfare In Aceh, Indonesia From 1980-2005

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ANTI-GUERILLA WARFARE IN ACEH, INDONESIA FROM 1980-2005

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LtCol Novarin Gunawan, Indonesian Marine

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Preface

The purpose of this study is to determine the causes of the counterinsurgency in Aceh, Indonesia. This paper will also examine possible solutions to this conflict. I have focused on recent articles that show that the use of military might will not guarantee a military success in combating an insurgency. Indonesia needs other approaches to defeat the insurgents. This study will analyze the conduct of the insurgency in Indonesia and will try to find solutions to address the issue.

Executive Summary

Title: Anti-Guerilla Warfare in Aceh, Indonesia from 1980-2005

Author: LtCol Novarin Gunawan, Indonesian Marine

Thesis: Anti-Guerilla Warfare in Aceh, Indonesia from 1980-2005

Discussion: Handling of the conflict in Aceh is complicated work for the Indonesian government. Several times the government has tried to negotiate peacefully, but the target of their negotiation is only independence.

Recommendations: The proposed guidance recognizes the desire of the Acehnese people to administer themselves peacefully in freedom through democracy. This can be achieved through three main courses of action. First, the conflict would be ended with peace established over a transitional period, and special autonomy would be accepted as the final solution to the conflict. Second, during the transitional period, there would be cessation of hostilities, an intensive confidence-building process, and normalization of socio-economic life in Aceh through humanitarian aid and economic assistance provided by the government of Indonesia and the international community. Third, an all-inclusive dialog among all elements of Acehnese society, including the Free Aceh Movement, would serve as the consultative forum for achieving a negotiated peaceful settlement to the Aceh problem based on the Nanggroe Aceh Darussalam (NAD) Special Autonomy Law.

Military operations might not guarantee success in combating insurgency; therefore, other approaches need to be considered in order to defeat the insurgency. In addition to security and quality of life improvements, religious and political issues will need to be addressed. Reconstruction of Aceh is greatly needed after the tsunami disaster. The time is ripe for the Government of Indonesia to reach out to the people of Aceh.

Although Aceh has recently been victimized by natural disasters, its struggle for independence still persists. The GAM, Gerakan Aceh Merdeka (Free Aceh Movement) did not accept cease-fire and reconciliation option proposed to them by the Indonesian Government. The GAM does not care to bring peace to Aceh at this moment, and they will not take part in the reconstruction of Aceh. The GAM is focused only upon total independence.

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CHAPTER ONE

INTRODUCTION

"To stop separatism and bring back our brothers who want to break away from us is something we must do. A military campaign alone will not solve the region's problems; a solution to the Aceh problem must be comprehensive."

(President Susilo Bambang Yudhoyono, 20 October 2004)

Aceh is a province in Indonesia with the history-armed struggle. Today, this struggle is between the Indonesian Government and the local revolutionary group known as the *Gerakan Aceh Merdeka (GAM)*, or Free Aceh Movement. The conflict originates back to the days of Dutch colonialism and centers on a long struggle for independence. Although the modern Republic of Indonesia covers the entire territory of the former Dutch East Indies, whose history extends back to the 16th century, Dutch control over many parts of the archipelago was actually only quite brief.¹ Aceh resisted Dutch efforts to colonize for thirty years and only succumbed in the first decade of the 20th century, after which the Dutch continued to face sporadic resistance right up to the time of their surrender to the Japanese in 1942.²

¹ Stephen Sherlock, Conflict in Aceh. A Military Solution? . *Parliamentary Library*. www.aph.gov.au. Accessed on 18 November 2004.

² The 1824 Treaty of London, under which Britain protected the independence of the Kingdom of Aceh and the Netherlands, divided their spheres of influence in the Indies. The Netherlands began its long and violent campaign to subdue Aceh in 1873, after Britain had signed a new treaty with the Dutch in order to forestall an increase in US influence in the region.

Aceh's desire for independence represents a continuing problem for the Indonesian Government. One source of Aceh's dissatisfaction with the Indonesian Government is the inequitable distribution of natural resources, most of which are taken by the central government in Jakarta. To understand fully the issue, we must first examine the history and background of Aceh's culture, customs and their religious beliefs. This essay, will examine the background of the Aceh rebellion, not in terms of casting judgment on those involved, but rather to discuss the nature of the problem from a holistic perspective in order to propose a solution.

The Indonesian Government's efforts to deal with Aceh to date have perpetuated a cycle of military interventions and highlighted the difficulties associated with gaining the support of the local population. The government's actions thus far have hardened the attitudes of the people and the rebels. In fact, the cease-fire agreement signed in Tokyo in 2004, has not changed the situation on the ground due to the absence of trust between the Indonesian Government and the GAM.

In Aceh, the majorities of the residents are Muslim and with a strong religious base. Aceh residents are fighting against the central government in Jakarta. They believe they are conducting a *jihad*, a fight in the way of God, because the military forces have damaged their families and their pride in

the past. The people of Aceh feel their safety is threatened. They do not consider themselves to be terrorists, but they are willing to fight for their rights. Unfortunately, at this time, individuals driven by private political interests in addition to criminals have infiltrated the GAM organization. This has worsened Aceh's problems, and further complicated the insurgency. The solution, therefore, calls for more than military action. Political action must complement military intervention, because the absence of either will fail to address the guerrillas' demands for independence. Arguably, the Indonesian approach to date has failed to resolve the Aceh issue because it has neglected to address the political perspective of the insurgency and focused only on a military solution. The central government maintains that there is no way for Aceh to achieve independence, but the government must be willing to sit down with the leaders of the GAM in order to solve the Aceh problem.

There was at a time a promising period of peace, but it ended when the situation in Aceh spiraled back into violent struggle. On 19 May 2003, the Indonesian security forces launched an all out military offensive against the pro-independence GAM, following the final collapse of a ceasefire

agreement that had commenced in December 2002.³ During that period the previous Indonesian President, President Megawati Sukarnoputri, issued a decree declaring a state of emergency in the province. This decree authorized the military to take responsibility for security and prompted an operation involving hundreds of thousands of government troops against a few thousand GAM guerrillas.

The aim of this paper is to provide a historical analysis of the conflict in Aceh during the period 1980 to the present and examine the causes of the conflict. The paper addresses the issue of whether or not the Indonesian Government should take further military or political action in response to GAM demands in order to end the conflict and bring peace to the province. Finally, the paper will provide some recommendations. In discussing the causes and development of the Aceh conflict in Indonesia, this paper argues that it is possible to differentiate between the goals of those involved in the conflict and the grievances that have provoked the insurgency. In short, Aceh's economic, social and political grievances have led to a struggle for independence. This paper contends that the goal of a peaceful, stable, and prosperous Indonesia, a goal that is supported by the international community, is more likely

³ Stephen Sherlock. Conflict in Aceh. A Military Solution? *Parliamentary Library*. www.aph.gov.au. Assessed on 18 November 2004.

achieved by addressing the grievances of the people of Aceh rather than the stated end goals of the GAM leadership.

Although Aceh recently fell victim to an earthquake and tsunami, December 26, 2005, the struggle for independence still continues. The GAM appears not to be responsive to overtures for the peaceful solution. The only objective the GAM will discuss is the one of a completely independent state. No other solutions are acceptable. Nevertheless, this paper argues that alternatives do exist.

CHAPTER TWO

BACKGROUND

Indonesia has experienced a number of violent and in some cases protracted conflicts. Currently, separatist struggles continue in Aceh and Irian Jaya. Also, communal violence has erupted along ethnic and religious lines in Kalimantan and Maluku and in several other regions of Indonesia. According to Indonesian Government figures, more than one million people are now internally displaced within the republic due largely to internal conflict.⁴

These conflicts appear to have intensified in the current era of reform, beginning with the fall of the Soeharto regime in 1998. Divisions within Indonesian society along ethnic, religious, and social lines are largely the consequence of years of authoritarian rule and seem to have been exacerbated by recent political reforms such as open elections and the removal of restrictions on public expression. The ongoing effects of the 1997 economic crisis have further exacerbated existing tensions.⁵

The conflicts have a number of potentially serious implications for Indonesia and that region of the world. Seemingly intractable instability and conflict will deter

⁴ D. Djalal, 'Strangers in Our Own Land', *Far Eastern Economic Review*, 18 January 2001.

⁵ Chris Wilson. *Internal Conflict in Indonesia: Causes, Symptoms and Sustainable Resolution*.

foreign investment, making Indonesia's economic recovery even more difficult. Indonesian diplomatic initiatives will also be undermined by perceptions of domestic instability. Other effects include the great cost expended on internal security, with the security forces currently engaged in internal security from one end of the archipelago to the other.⁶

Within this broad context, the Indonesian province of Aceh, with a population of around 5 million, is located on the northern most part of the island of Sumatra, about 1,000 miles from the Indonesian capital of Jakarta. Located strategically on the sea-lanes between South and East Asia, this province most famous when Aceh fell victim to an earthquake and tsunami in December 26, 2005. Aceh was once the center of a powerful trading empire during the 16th and 17th centuries and one of the earliest Islamic sultanates in Southeast Asia.

The people of Aceh have a long history of rebellion and resistance to occupation. For 30 years, they thwarted Dutch military efforts to "pacify" the region and incorporate it into their colonial empire. After Indonesia's independence in 1945, dissatisfaction with the central government eventually led to granting Aceh Special Region status, giving the Acehnese control over education, religion and *adat* (customary) law. However, the decision failed to be fully implemented. By the mid-1970s,

⁶ Ibid.3

after huge natural gas reserves were discovered, blatantly unequal distribution of revenues, in favors of the national government in Jakarta, drawn from the exploitation of these resources contributed to the formation of GAM in 1976 and open resistance to the central government.⁷

Aceh's unique sense of identity, based on cultural, ethnic, economic lines, has reinforced a tradition of "separateness." Aceh was one of the first areas to convert to Islam, in the 13th century and perhaps earlier, and the Kingdom of Aceh had a long history of commercial and cultural links with the Islamic world of the Middle East and India. Today it has a deep attachment to Islamic culture, more so than in other parts of Indonesia.⁸ During the Indonesian war for independence against the Dutch in the late 1940s, Acehese forces played a key military role, but many Acehese nationalists had a different, more Islamic-inspired vision of a post-independence Indonesia than the mainly secularist leaders based in Java. However, despite discontent about both the lack of autonomy for Aceh and about the non-Islamic character of Indonesia as a whole, the region became part of the unitary Republic of Indonesia in 1950.⁹

A few years after independence, opposition to the

⁷ Kontras Aceh, Aceh backgrounder, August 27, 2002

⁸ Stephen Sherlock. Conflict in Aceh. A Military Solution. *Parliamentary Library*. www.aph.gov.au. Assessed on 18 November 2004.

⁹ Ibid.4

constitutional and political character of the Indonesian state began to emerge in Aceh, reaching a peak when President Sukarno began to ally himself with the Indonesian Communist Party (PKI) in the late 1950s. Beginning in 1953, a movement to overthrow the central government developed in Aceh, linking up with the so-called *Dar'ul Islam* rebellion, a diverse collection of insurrectionist Islamic groups throughout parts of Sumatra, Sulawesi, and Java. The leaders of this rebellion "had no intention of separating the region from Indonesia but envisaged it as an autonomous province."¹⁰ By 1962, however, *Dar'ul Islam*, both within and outside Aceh, had been defeated by government military campaigns. The movement was politically undermined when the central government promised Aceh "special region" (*daerah istimewa*) status in 1959, providing for local autonomy over religion, customary law, and education.¹¹ However, the government failed to deliver on its promise this has contributed to Aceh's problem becoming progressively more complicated over the years. In short, military action alone is insufficient; political action must also be initiated in a manner similar to that of 1959. Perhaps if the government sits together with the leaders of the GAM, a fair solution may be found. Since late 1999, there has been a strong movement within GAM in favor of

¹⁰ Grayson Lloyd, 'Indonesia's Future Prospects: *Separatism, Decentralization and the Survival of the Unitary State*', *Current Issues Brief no. 17*, Parliamentary Library, 1999-2000.

¹¹ Nazaruiddin Sjamsuddin, *The Republican Revolt: A Study of the Acehnese Rebellion*, *Institute of Southeast Asian Studies*, Singapore, 1985.

holding a referendum to determine Aceh's future status, as the peaceful way of solving the conflict.

The GAM, now operating in all parts of Aceh, is in effective control of local administration. Civil society has also grown apart. In particular, human rights and humanitarian NGOs have been able to conduct monitoring of human rights abuses and provide support to tens of thousands of internally displaced people (IDPs). Many of these IDPs fled their villages to avoid getting caught up in clashes between the Indonesian security forces and GAM forces and to avoid sweeping patrols by troops searching for GAM members.

Causes of the Conflict

Aceh was relatively free of conflict for many years, but problems started again when President Soeharto's new Order regime began to intensify centralized rule from Jakarta. Islamic organizations across Indonesia were subject to suspicion or outright repression and there was little room for local political action. Matters worsened when the discovery of large petroleum resources in northern Aceh brought an even tighter grip over the local economy and politics by outside elements.¹² Although the province experienced rapid economic growth from

¹² Stephen Sherlock. Conflict in Aceh. A Military Solution?. *Parliamentary Library*. www.aph.gov.au. Assessed on 18 November 2004

petroleum production, many Acehnese felt they received little benefit or were even worse off when they lost land and forest resources to make way for industrial, plantation, and forestry developments. Newcomers from other regions of the country were seen as taking most of the new jobs, while generals, politicians, and well-connected business people from Java skimmed off all the profits.

Separatist feelings led to the foundation of the GAM in 1976 by Hasan M. di Tiro, a member of the old Acehnese aristocracy.¹³ For many years GAM was ineffective as a political or military force, but repressive actions by TNI (Tentara Nasional Indonesia) or Indonesian Armed Forces gradually drove more Acehnese support its struggle for independence. In 1989, GAM re-emerged with a campaign of attacks on police and military installations and government facilities.

The Soeharto government's response to the resurgence of separatist activities was to launch a military offensive. In 1989, Aceh was declared a military operations zone (*Daerah Operasi Militer* (DOM)), highlighting a time of violence and unrestrained and unaccountable military actions. There were allegations of atrocities and human rights abuses by both sides during the conflict. From 1989 to 1998, estimates put the

¹³ Di Tiro's original organization founded in 1976 was called the Aceh-Sumatra Liberation Front (ASNLF). The ASNLF was quickly crushed by the military, but was revived several years later in the form of GAM

number of people killed in the conflict at approximately 2,000, mostly civilians. Reports of intimidation, beatings, rapes, and torture were numerous and an unknown number of people simply disappeared or were otherwise unaccounted for.¹⁴ The population of Aceh (numbering about 5 million out of Indonesia's total population of 210 million) was left traumatized and desperate for some sort of solution.¹⁵

In the early years of Indonesian independence, the central government was able to maintain some measure of Acehnese support for the republic. This was also achieved, partly, by "co-opting" local elites into the Administration thereby ensuring elite support for the policies of Golkar (the ruling party led by President Soeharto).¹⁶ A strong centrally controlled military authority also accompanied the Jakarta controlled administration. Throughout the early years of Indonesian independence, however, a growing number of Acehnese elites and members of the wider population became increasingly alienated from economic and political control as power was gradually centralized in Jakarta. Many in Aceh were also aggrieved at the imposition of secular law throughout the nation following

¹⁴ Human Rights Watch, *Indonesia: The War in Aceh*, August 2001, Vol. 13, No. 4 (C), 8.

¹⁵ Hasballah Saad, 'Generations of Acehnese born amid war' *Jakarta Post*, 13 May 2003. International Crisis Group (ICG), *Aceh: A Fragile Peace*, 27 February 2003, 10.

¹⁶ D. Brown, *The state and ethnic politics in Southeast Asia*, Routledge, 1994, and S. Tiwon, 'From heroes to rebels', in *Inside Indonesia*, April-June 2000, 5.

independence, and upon Aceh itself.¹⁷

Aceh has a vast array of natural resources including timber, coffee, and palm oil, as well as major oil and gas reserves. Despite its wealth, the province continues to have the highest poverty rate on the island of Sumatra.¹⁸ Of the massive income obtained from Aceh's resources, only some five per cent remains in the province. Most educational and health facilities are located in the industrial zones such as Lhokseumawe.¹⁹ Outsiders, own most businesses mostly from Jakarta, and non-indigenous Aceh residents also generally own mid-sized local businesses. By the mid-1970s, many elites in Aceh began to perceive the vast difference between the contribution made by Aceh to Indonesia's development, and the amount of input by Jakarta back into the province. The benefits of the oil boom in the late-1970s and early 1980s throughout other parts of the country starkly contrasted with the living standard of the Acehnese population.²⁰

Another cause of Aceh's problem has been inadequate development. Many industrial development projects in Aceh have provided employment opportunities for outsiders, especially from Java. The people of Aceh believe that if Aceh were to become

¹⁷ Chris Wilson. *Internal Conflict in Indonesia: Causes, Symptoms and Sustainable Resolution*. *Australian Parliamentary Library*.

¹⁸ *Ibid.* 3

¹⁹ S. Tiwon, 'From East Timor to Aceh: The Disintegration of Indonesia', *Bulletin of Concerned Asian Scholars*, vol. 32, no 1 and 2, 2000, 98.

²⁰ *Opcit* 3

independent, the local people would reap the economic benefit. Many Acehnese believe that the Javanese have invaded Aceh. The Javanese are ambitious, well educated, and hard working. Conversely, the Acehnese are only minimally educated which further places the Acehnese at a disadvantage.

Making matters worse, during the era of former president Suharto (1965-1998), most profits from natural resources were taken by Jakarta. These profits were used by the central government solely for development of the island of Java. This is why Aceh is anxious to gain its independence. This situation, however, existed only during the Suharto regime and the division of profits from natural resources has become more equitable.

The growing elite opposition to Jakarta encouraged the emergence of insurgent groups such as the GAM which aim to use forceful means to pressure Jakarta into allowing greater autonomy or independence.²¹ The GAM has its roots in the Darul Islam rebellion against Jakarta led by Daud Beureu'eh in the late-1950s. Following a period of Libyan training and arms supply, the GAM undertook a fully-fledged armed struggle beginning in the late-1980s. More subtle forms of protest have also occurred at the village level.²²

²¹ R. Gunaratna, 'The structure and nature of GAM', *Jane's Intelligence Review*, April 2000, 34.

²² Chris Wilson. *Internal Conflict in Indonesia: Causes, Symptoms and Sustainable Resolution*. *Australian Parliamentary Library*

The response of the Indonesian authorities to the struggle has been heavy-handed. Along with socioeconomic grievances, military actions have created a wider call for independence. As stated earlier, Aceh was an Indonesian military operational area.²³ Large numbers of troops were once stationed in the province to deal with a relatively small GAM force. Most estimates of casualties resulting from the military campaign suggest somewhere between 2,000 and 5,000 people killed, including a large numbers of civilians. The non-Acehnese origin of the troops stationed in the province only deepened the Acehese feeling of alienation.²⁴ Indonesian military actions in the province proved to be counterproductive. Military suppression is widely regarded as responsible for the transformation of GAM from a small force, unrepresentative of the wider population, into the much larger and effective force that exists today.²⁵

Islam is also a driving force in separatist sentiment and a source of identity and cohesion for those involved in the struggle.²⁶ The absence of Sharia (*Syari'at*) law has been another major factor behind the demands for an independent Aceh. Another sore point for the Acehese is Indonesia's

²³ L. McCulloch, 'Security Solution', in *World Today*, March 2001, 22.

²⁴ P. Flynn, 'Indonesian Islamic Fundamentalism and Aceh in the Twentieth Century', *Australian Defense Force Journal*, 141, March-April 2000.

²⁵ E. Aspinall, 'whither Aceh? An update on events in 1999', in *Inside Indonesia*, April-June 2000, 7.

²⁶ *Ibid*, 33.

transmigration policy. Transmigration is a policy by which Jakarta helps residents of overcrowded Java migrate to outlying islands in the Indonesian archipelago. In Aceh's industrial zones on the coast and in the mountains, the people are primarily Javanese transmigrants. The Acehnese, therefore, have little to no access to the coast or to the mountains. The indigenous residents of Aceh do not like the policy of transmigration, as they cannot compete with the better-educated transmigrants. Integration between the local population and transmigrants continues to generate problems. Failing to compete, in economic terms, has generated social jealousy, which in the future may become an explosive issue. In Aceh, almost all transmigrants are economically better off compared to the people of Aceh.

During his tenure, President Abdurrahman Wahid (1999-2001), attempted to use a less coercive strategy to address the problems of the province. Recognizing the correlation between military suppression and support for the insurgent movement, Wahid sought a program of more conciliatory measures. These measures were to include visiting the province, an offer of special autonomy, aid, the implementation of Sharia law and greater revenue from oil and gas exploitation.²⁷ The Indonesian People's Representative Council (DPR) has been supportive of the

²⁷ L. McCulloch, 'Security Solution', in *World Today*, March 2001, 22.

draft law regarding special autonomy and beyond the decentralization currently being undertaken.

The legislation, drafted by Acehese legislators, would give the Acehese provincial government control over everything relating to the province except for foreign relations and defense and monetary policy. The legislation would include provisions for retaining over 80 percent of the province's resource revenue, an Acehese police force, Sharia Law, an Acehese flag, and Acehese control over the appointment of a governor.²⁸

While many of these attempts at conciliation have been undermined by erratic implementation, several other factors have largely precluded the success of these strategies. Security operations have continued in tandem with political attempts at conflict resolution. While President Wahid argued for an increased military presence only to protect the security of the Acehese and for negotiations as a means to end the conflict, there was little support for his conciliatory stance in Parliament.²⁹ At that time, Vice President Megawati Soekarnoputri was reluctant to make concessions to the separatist movement in case such concessions served to increase separatist sentiment in the province.³⁰

²⁸ 'Aceh: Can autonomy stem the conflict?', *International Crisis Group Asia Report*, no. 18, 2001.

²⁹ L. Murdoch, 'Children among victims of assault on separatists', *The Sydney Morning Herald*, 8 June, 2001.

³⁰ 'Military push for attack on Aceh', *Sydney Morning Herald*, 6 April 2001.

President Wahid's lack of influence over the military establishment also greatly hampered his ability to implement measures that did not involve the use, or threat of use of force. This reluctance by the military to make concessions can be largely explained by a strong ideological aversion to any undermining of the unitary state. However, the International Crisis Group (ICG) recently released a report pointing to the strong possibility that due to the economic and political benefits it receives from the current instability, the TNI may actually prefer to see the status quo retained.³¹ The ICG report also points to the difficulty faced in ensuring TNI orders are followed on the ground in Aceh, as military command structures have recently been severely weakened. The natural resources of the province also provide a strong material reason for widespread reluctance to accede to Acehnese demands.

Another cause for the conflict in Aceh is that many family members became victims and sided with the Free Aceh Movement in order to avenge the deaths of their family members. In Islam, soul debt has to be paid with soul. This revenge debt greatly complicates the Indonesian government's attempt for reconciliation with the Free Aceh Movement. Unfortunately, the current government is paying for mistakes made by the government leadership of the past.

³¹ 'Aceh: Why Military Force Won't Bring Lasting Peace', *International Crisis Group Report*, no. 17, 12 June 2001.

There also remains the issue of control over drug profits from the sale of cannabis. Using revenue from the sale of cannabis, separatists are able to buy weapons from neighboring states. The drug money is also used to recruit new members on the promise of large financial rewards for their service.

CHAPTER THREE

ROAD TO PEACE

On 9 December 2002, an agreement on the cessation of hostilities in Aceh was concluded in Geneva, bringing hope that an end to the 26-year-old conflict between Indonesian Government forces and GAM guerrillas was in sight. Since then, there have been many positive developments; most strikingly, a dramatic drop in the level of violence.³² The agreement, however, is not a peace settlement. It is rather a framework for negotiating a resolution to the conflict, and it remains extremely fragile. The first two months were supposed to be the confidence-building phase of the accord, but far from generating confidence, they may have actually reinforced each side's wariness of the other's long-term intentions.³³

On 9 February 2003, the two sides moved into a five-month implementation phase with major differences still unresolved. These include how the Indonesian military will relocate as GAM places an increasing percentage of its weapons in designated locations. The leadership of GAM may have accepted the concept of autonomy as a starting point for discussions but not as a political end, and there remains little incentive for the guerrilla group to reinvent itself as a political party working

³² Aceh: A Fragile Peace. *International Crisis Group*. www.icg-betaweb.easynet.

³³ *Ibid.* 3

within the Indonesian electoral system.

The Indonesian army is not likely to sit quietly indefinitely if the reduction of violence leads, as appears to be the case, to more organizing in support of independence by GAM, even if such organizing does not constitute a formal violation of the agreement. The provincial government of Nanggroe Aceh Darussalam (NAD) also constitutes an obstacle to lasting peace because it has such low credibility and is so widely seen as corrupt. As long as it is seen to embody autonomy, as granted to Aceh under an August 2001 law, many Acehnese will continue to see independence as a desirable alternative.³⁴

The 9 December 2002 agreement, brokered by the Geneva-based non-governmental organization, the Henri Dunant Centre (HDC), was the outcome of three years of tortuous negotiations and interim efforts to end the violence that worked briefly and then collapsed. The consequences of failure would be grave, and intensified military operations would be inevitable. The outpouring of enthusiasm that the agreement has generated across Aceh should be reason enough for all parties involved to do their utmost to ensure its success.³⁵

This agreement is different from all those that preceded

³⁴ Ibid,5

³⁵ Ibid,7.

it. It has international monitors in place. Its structure for investigation and reporting of violations is already far more transparent than those in the previous accords. It is backed at the highest levels of the Indonesian government and by a broad range of international donors. It is the best and maybe the last chance that the 4.4 million people of Aceh have for a negotiated peace. It may also be their best chance to get international backing for local government reform and substantial post-conflict reconstruction aid. "If the agreement holds, not everyone wins, but if it fails, everyone loses."³⁶

The Government of Indonesia has looked for the best solution for solving the problem of Aceh. The solution is to negotiate with the Free Aceh Movement and build a level of cooperation that will create a lasting peace in Aceh. The Indonesian Government attempted this during the administration of President Wahid, creating an opportunity for peace in Aceh. In May 2000, representatives of the Indonesian Government and the Free Aceh Movement signed a document in Geneva, *Joint Understanding for Humanitarian Pause for Aceh*, to build confidence-building measures to create common ground between the two sides. This put the Free Aceh Movement, at least theoretically, on an equal footing with the government. According to a senior diplomat in Jakarta, "To a number of

³⁶Aceh: A Fragile Peace. *International Crisis Group*. www.icg-betaweb.easynet.

legislators, some academics, and a few in the media, the talks in Geneva represented an internationalization of the Aceh problem. This negative reaction becomes easier to understand when cast in the light of what many Indonesians have seen as the consequences of the internationalization of the problem of East Timor."³⁷

Having been briefed on the situation in Aceh and on previous developments, the negotiator drafted a proposed guidance for use in the negotiations. The proposed guidance recognized the desire of the Acehnese people to administer themselves peacefully in freedom and democracy. This would be achieved through three main courses of action that are summarized in an article by S. Wiryono.

"First, the conflict would be ended and peace established over a transitional period, and special autonomy would be accepted as the final solution to the conflict. Second, during the transitional period, there would be cessation of hostilities, an intensive confidence-building process would take place, and socio-economic life in Aceh would be normalized with humanitarian aid and economic assistance from the government of Indonesia and the international community. Third, an all-inclusive dialog among all elements of Acehnese society, including the GAM, would serve as the consultative forum for achieving a negotiated peaceful settlement to the Aceh problem based on the Nanggroe Aceh Darussalam (NAD) Special Autonomy Law."³⁸

The government thought that it had secured commitment of the Free Aceh Movement's acceptance of the NAD Law as a starting

³⁷ laksamana.net. The beginning of an involvement, may, 7, 2003

³⁸ Sastrohandoyo Wiryono, The Aceh Conflict: The Long Road to Peace, *The Jakarta Post*, 29 November 2004,

point, that is, they must accept special autonomy. One of the principal spokespersons for the GAM firmly denied that the GAM had accepted the NAD Law.

What made matters worse was that armed elements claiming to belong to the GAM started attacking government facilities, particularly electric pylons, military and police stations, and in the process killing a considerable number of innocent civilians to include women and children. The military responded by bringing in more troops and intensifying anti-guerilla operations. This followed a pattern where every time both sides reached an agreement, elements on the ground would issue statements repudiating what had been agreed upon and then taking hostile action that set back the process.

In fact, the GAM brazenly held pro-independence rallies and carried out a public disinformation campaign to promote a public perception that the result of the implementation of the agreement would be independence for Aceh. At the same time they began to recruit heavily from villages in order to swell the ranks of GAM fighters and appointed new officers and members of its fighting force. The GAM began smuggling weapons, and the underground government went so far as to collect what it calls a "Nanggroe tax" to fund future guerilla operations. This was, of course, a form of extortion and a crime.

The GAM accepted the humanitarian pause, but in reality

they used it only for the purposes of consolidating their forces and will resume fighting when it is confident that it has sufficiently gathered political and military strength. In the meantime, the Government of Indonesia continues all security measures in order to control the situation in Aceh. These measures are important to ensure the security and the safety of Aceh Province from any militants acts by the militant wing of the GAM.

CHAPTER FOUR

RECOMMENDATION

The full and meaningful implementation of autonomy is likely to be the most successful means of ensuring full Acehese acceptance of the legitimacy of their incorporation within the Indonesian state. While the offers of autonomy associated with the decentralization process and the more even radical offers made more recently by President Wahid have failed to appease the Acehese independence movement, it is the argument of this paper that such offers alone are unlikely to be successful. In order to undermine support for militant factions of the independence movement, Jakarta needs to accompany offers of autonomy with sincere and meaningful steps taken toward addressing the grievances that drive that support. The granting of self-determination does not have to be associated with state sovereignty, but rather with reconstruction, the protection of human rights, and self-government.³⁹ All separatist movements require a nationalistic mobilizing ideology. The task of a central government faced with such a movement is to address the grievances that provide an environment conducive to that ideology.

The Indonesian Government needs to win back the trust and goodwill of the majority of the Acehese people in order to have

³⁹ J. Goodman, 'Post-Cold War Self Determination: *Ireland and East Timor*', *Geopolitics*.

an effective resolution to the problem. The best way to achieve this is for the Indonesian Government to demonstrate to the Acehnese that it is sincere in its desire to address decades of Acehnese grievances.⁴⁰ Any settlement must therefore have at its heart a cessation of human rights abuses, and an investigation of past abuses.⁴¹ The chairperson of Indonesia's labor union, Muchtar Pakpahan, has argued that the best way to heal the "deep wounds in the hearts of the people of Aceh" is to "uphold the law and bring them (the perpetrators of violence) to court".⁴² Just as it took a long time to lose the hearts and minds of the majority of Acehnese, this process is likely to take an equally long period of time.

Other groups within Acehnese society will require redress in various spheres. Those concerned with economic exploitation and marginalization demand a greater proportion of provincial revenue and the right to trade directly in the world market. Funds from aid programs and increases in revenue from trade must be appropriately distributed to all sections of Acehnese society rather than just to a handful of elites. While most Muslims practice Islamic law in the province already, the declaration of Sharia Law would appease those factions concerned primarily with

⁴⁰ Lowry, 'Indonesia: *tumult and hope*', 19.

⁴¹ E. Aspinall, 'Whither Aceh?: An update on events in 1999', in *Inside Indonesia*, April-June 2000, 7

⁴² 'Pessimistic response to Wahid's Aceh plan', *The Canberra Times*, 18 December 2000.

religion.⁴³ To some extent, the situation in Aceh is more easily resolved than that in Irian Jaya due to the past positive identification of the Acehnese with the independent unitary Indonesian state.⁴⁴

The most important recommendation for both sides is to see the current five-month implementation phase of the agreement through to completion while refraining from actions that violate the letter or spirit of the agreement. In the meantime, some of the harder issues need to be tackled. There are more recommendations listed that pertain to the Government of Indonesia than to the GAM. This should not be interpreted as an indication that the government has a greater responsibility but rather as an indication of how important the issue of local governance has become. In many areas of Aceh, the populace has simply lost all faith in the government. An autonomy law will not restore that faith, and an increase in funds going into provincial and district budgets does not necessarily translate into an improved standard of living for ordinary Acehnese.⁴⁵

The following recommendations adopted from a study completed by the international crisis group relating to the government of Indonesia are offered below:⁴⁶

⁴³ Chris Wilson. *Internal Conflict in Indonesia: Causes, Symptoms and Sustainable Resolution*. *Australian Parliamentary Library*.

⁴⁴ *Ibid.*5

⁴⁵ Contents of an agreement on cessation of hostilities in Aceh was concluded in Geneva on 9 December 2002,

⁴⁶ Aceh: A Fragile Peace. *International Crisis Group*. www.icg-betaweb.easynet.

1. Offer GAM more realistic incentives to take part in the political process, including by supporting the necessary legal changes that would allow for local political parties in Aceh.
2. Support fully the process outlined in the 9 December 2002 agreement for investigating reported violations.
3. Improve local governance by:
 - (a) Supporting efforts to strengthen the fiscal transparency of the NAD government;
 - (b) Having an independent board review the allocation of contracts for publicly financed projects in Aceh as well as the relationship between expenditure authorized and quality of work;
 - (c) Ensuring that allegations of corruption by provincial and district officials are promptly investigated, and where appropriate, prosecuted, by individuals who themselves have no political or economic ties to those being investigated; and
 - (d) Supporting the assessment by a credible international accounting firm of accounting practices by provincial and district governments.
4. Support a carefully designed public opinion survey in sample villages across Aceh of how Acehnese believe their lives could be improved and what their priorities are for

themselves and their children, and use the results to design public policies that respond to local aspirations.

5. Develop a plan to restore credibility in the justice system in Aceh, including:

(a) Ensuring that the establishment of new religious courts does not further weaken the legal system by creating confusion about overlapping jurisdictions;

(b) Giving high priority to the administration of justice within the peace zones; and

(c) Understanding why local or traditional methods of justice are seen as more effective than anything on offer from the state.

6. End illegal levies along roads by:

(a) Having the national army and police headquarters in Jakarta make this a priority, with spot inspections using the kind of commercial vehicles that are normally the target of demands for money; and

(b) Enforce strict discipline from headquarters on police and soldiers who extort money.

7. Encourage the local parliament in Aceh to give high priority to the draft regulation (qanun) on direct election of local officials, including district heads and mayors.

8. Channel all central government aid and humanitarian assistance not through the provincial government but

through a special body committed to complete transparency and public accountability.

9. Have a senior government official from Jakarta chair a discussion among law faculty, nongovernmental organizations, the local press, military and police on freedom of expression and assembly, so that mutually acceptable definitions are worked out for how those freedoms can be exercised in Aceh, or at least that different interpretations and their consequences are understood by all parties.

The following recommendations relate to GAM:

1. Refrain from pro-independence rallies and other activities that suggest to the government that GAM is using the cessation of hostilities to consolidate political and military support.
2. Give serious attention to how the January 2001 discussions, at the time of the "Provisional Understanding" on the democratic process, could be translated into a concrete program for transforming GAM into a political party in a way that would not involve a referendum but also would not indelibly alter GAM's identity.
3. End extortion of the local populace by GAM members
4. Support fully the process outlined in the 9 December 2002 agreement for investigating reported violations.

5. Look for ways to absorb GAM fighters into the labor force without creating wage distortions.
6. Prepare plans to help with the direct elections of local officials, if and when the provincial regulation on direct elections is adopted.
7. Avoid, as almost all donors already are, channeling assistance through the provincial government.
8. Monitor project implementation by creating a small multi-donor office in Aceh that can also easily provides information on donor assistance to Acehnese organizations.
9. Consider reviewing project implementation on a regular basis, not just to evaluate the success of individual projects but also to see how well the donor effort is strengthening the peace, and make adjustments accordingly.⁴⁷

Political action

Another action to consider when dealing with Aceh and its desire for independence is political action. There seemed no end in sight to the bloodshed until the December 26 earthquake and tsunami disaster, which killed about 240,000 people in the province on the tip of northern Sumatra. The disaster focused international attention on the Aceh conflict and the government was strongly encouraged to return to the negotiating table with

⁴⁷ Aceh: A Fragile Peace. *International Crisis Group*. www.icg-beta.com.

the rebels to ensure that almost \$1 billion in foreign aid pledges could be optimally used. Government officials and representatives and GAM's leaders living in exile in Sweden first met in Finland over 27-29 January 2005 for talks organized by former Finnish President Martti Ahtisaari's Crisis Management Initiative (CMI). The two sides discussed international aid and reconstruction in the aftermath of the disaster and agreed to the second round of talks.⁴⁸

The Indonesian government is now offering the rebels a special autonomy package, which will give the people of Aceh, limited self-government. The talks were focused on a package of proposals, including a ceasefire, security arrangements, human rights and the international monitoring of any solution agreed to by both parties. One of the main problems with the recent round of discussion has been the form of autonomy Indonesia is willing to offer, as the Acehnese view "special autonomy" as the status quo and prefer the term "self government". The Indonesian officials had agreed to take the "self government" concept back to Jakarta for approval or further discussion. This was a very significant impediment and, now it appears to have been at least in part resolved, the substantive issues are now starting to move forward. The discussion appear to be progressing well, but there are still some issues to be resolved

⁴⁸ Laksamana.net, GAM Mulls Dropping Independence Demand, March 10, 2005

and of course there are difficulties, however at least they are listening to each other. It remains to be seen whether friendly talks between government officials and senior GAM figures from Sweden will put an end to the conflict on the ground between armed rebels and the Indonesian National Armed Forces (TNI).

Economy recovery

The December 26 earthquake and massive tsunami had a devastating impact on both the people and economy of Indonesia's Aceh Province. Preliminary figures of total damage and loss in Indonesia is totaling 42.7 trillion rupiah - or US \$4.5 billion, more than 240,000 people are dead, and more than 340,000 people have become refugees. Damages include destruction of: 1.3 million homes and buildings; 8 ports and 4 fuel depots; 85% of the water and 92% of the sanitation system; and 120 km of roads and 18 bridges.⁴⁹

Responding to the disaster, the government has been implementing relief and recovery management, with the Vice President directing the relief operations. Emergency coordination is conducted at the secretariat established at the Coordinating Ministry for Social Affairs. Significant assistance was received from the international community including IOM, WFP, UNOCHA, United States, New Zealand,

⁴⁹ Laksamana.net, Indonesia Needs US\$145 Million, December 29, 2004

Australia, Japan, Singapore, Malaysia and others (including military assistance from a number of these countries).

On the recovery management, the President assigned BAPPENAS (National Development Planning Agency) to coordinate rehabilitation and reconstruction strategy with a basic approach that the people of Aceh are to be at the center of any recovery efforts. In formulating such a recovery strategy, a joint BAPPENAS/Donor Team has been working in close coordination with the line ministries leading the effort. The first effort taken by the Team was to carry out a damage and loss assessment on the prominent sectors, using an international standard methodology and employing world-renowned damage assessment specialists. The sector-based assessment covered the extent of damage to public and private infrastructure and lost income from the property damaged and destroyed.

Priorities and principles for reconstruction must focus on ways to rebuild the livelihoods and social fabric of the devastated communities. The core principles as outlined by the current President, H.E. Susilo Bambang Yudhoyono, are people centered and participatory (empower people of Aceh); comprehensive; coordinated (sectors and regions); clear strategy with different phases; rebuilding institutions (capacity

building); and fiscal transparency and effective monitoring.⁵⁰

The Reconstruction Strategy will focus on the following issues:

- Restoring People's Lives and Livelihoods
 - Begin labor-intensive public works (clean-up) quickly
 - Provide the opportunity for families to rebuild their own homes (with design standards and building codes)
 - Support families and communities where displaced people have taken refuge
 - Provide transparent compensation
 - Compensation strategies (from budget resources) need careful consideration and design, but past experience shows that this is the area of greatest difficulty due to legal disputes
 - Focus on land offices and dispute resolution procedures including institution and staffing)
- Restoring the Economy
 - Emphasize labor intensive infrastructure investment and purchase and hire locally
 - Recapitalize household enterprises with grants rather than loans
 - Move quickly to reestablish banking services (including

⁵⁰ Damage Assessment and Recovery Strategy for Aceh and North Sumatra, State Minister of National Development Planning Agency/BAPPENAS

- proof of identity procedures)
- Minimize local and international trade restrictions to minimize price hikes
- Reestablish retail/wholesale markets including information centers
- Restoring Infrastructure
 - Rebuild roads and bridges
 - Rebuild ports (air and sea)
 - Repair electric and telecommunications infrastructure
 - Restore clean water
- Restoring Local Government
 - Rebuild local administrations (including the police) and restore functional responsibility as quickly as possible
 - Strengthen administrative arrangements and ensure transparency
 - Establish systems to ensure delivery of public services to the vulnerable (orphans, handicapped, widows)
 - Support and facilitate localities redesigning cities and places of economic activity

The Government's strategy to manage the recovery process centers along the following principles⁵¹:

- Maximize the use of on budget financing
 - Large sums of financing from bilateral donors and

⁵¹ Ibid, 3

individuals directly to Aceh

-- The government (central, provincial, local) need a mechanism to monitor and coordinate to avoid duplication and inefficiency

-- The government is committed to establish a strong governance structure

-- Careful attention is needed to foster participation and accountability

-- Phase out central government support as regional governments recover capacity to deliver

Developing a strategy for rehabilitation and reconstruction needs vision, the focus and involvement of the communities affected, strong implementation arrangements and monitoring systems. Coordinating all these organizations within the overall rehabilitation and reconstruction process, while promoting the interests of the local communities, is a major task. All stakeholders, including GAM have valuable contributions in planning the strategy, financing the recovery efforts and ensuring the money and reconstruction are transparent, accountable and directed at those who need it.

Autonomy approach

The autonomy laws were designed to give regions greater control over their wealth, with the aim of bringing local

governments closer to their constituents and quelling separatist demands in rebellious provinces.⁵² The legislation, consisting of Law No.22/1999 on Regional Administration and Law No.25/1999 on Fiscal Balance between the Central and Regional Governments, was rushed through parliament and critics predicted it would only create more problems in the fractious archipelago.⁵³

Indonesia is offering broad autonomy to the province of Aceh in the hope of ending an increasingly bloody conflict with Acehese separatists. The aim of autonomy is to allay Acehese resentments at the political domination and economic exploitation of the province by the central government, thereby reducing support for independence. This autonomy is encapsulated in a law now being debated by Indonesia's parliament. Although the final details have yet to be determined, the law is likely to give Aceh a greater share of income from its natural resources, chiefly gas, to allow it the freedom to run its internal affairs, to refashion local government in line with local traditions and to base the legal system of the province on the Islamic Sharia. This "special autonomy" for Aceh is much broader than the "regional autonomy" applied across Indonesia since the start of this year. However, if autonomy reduces poverty and brings people in Aceh a greater

⁵² Laksamana.net, Regions Warned to Heed Limits of Autonomy, July 21, 2002

⁵³ Ibid, 2

sense of justice and identification with the governance of their province, then support for independence may gradually diminish.

There are varying views within Aceh on the merits of autonomy. GAM is opposed, because it wants independence, and the movement's control over large parts of Aceh's territory means that it may be able to block or impair the implementation of autonomy in many places. Some believe autonomy is a good option, while others assert that the priority is peace, irrespective of political arrangements. There is also a risk that if the central government meets its commitments under the autonomy law in an ambivalent or poorly coordinated way, or if the implementation of autonomy within Aceh itself is not seen to be transparent, then many Acehnese will conclude that the government is deceiving them again. The Indonesian Government has tasked the Anti-Corruption Commission (KPK) to monitor the rebuilding of the tsunami-devastated Aceh province to ensure that huge inflows of foreign aid are not misused.⁵⁴ Indonesia has so far received pledges of about \$4.4 billion in foreign assistance for Aceh, not including private and corporate donations. This is important, because the rehabilitation and reconstruction will commence in April, involving vast sums of money from the government, provincial administration and abroad. Hopefully, the reconstruction projects will proceed without

⁵⁴ Laksamana.net, Combating Corruption in Aceh, March 23, 2005

delay and maintain schedule, so as to curb any additional push for separatism amongst the Acehnese people.

As far as possible, direct appointments of contracts must be avoided. Tender procedures must be used in the implementation of the reconstruction projects in Aceh. It is vital to the success of the government's reconstruction plan that it remains free from corruption. The just implementation of the process demands accountability and transparency. The public must know how much money has been collected and how the funds are being distributed.

To avoid large-scale corruption in the aftermath of the tsunami disaster, the main focus must be on the reconstruction process. While reconstruction is urgently needed, it is in the interests of victims and authorities alike that tendering procedures are transparent and that accountability mechanisms are in place. Reconstruction of housing and infrastructure must be of a high quality to ensure that it contributes to a sustainable economic recovery in the affected areas. Independent monitoring systems should be put in place with the participation of civil society and especially the affected communities, in order to monitor contract implementation.

Public hearings will be useful tools in preventing corruption. They can be used to discuss reconstruction priorities at the local and national level and to discuss the

terms of contracting for those reconstruction efforts. A public hearing is a mechanism to ensure that priorities are not set by corrupt networks or in a way that ignores or misrepresents the community's needs. But the responsibility to prevent and counter corruption does not lie with the recipient country alone. Other stakeholders, including international donors, local NGOs and the media can play an important part in monitoring expenditures and providing access to information.

CHAPTER FIVE

CONCLUSION

The preceding discussion has shown that in Aceh, the policies of the central government, particularly during the New Order, have exacerbated existing socio-economic and cultural tensions, and created grievances that largely fuel the conflict today. Unrestrained exploitation of natural resources and the associated environmental degradation, the benefits of which accrue primarily to Jakarta, has created perceptions of exploitation by the center of a marginalized periphery, especially in Aceh. The process of transmigration, both state-sponsored and spontaneous, has added to the perception of economic marginalization, especially in Aceh, as transmigrates have often been the most visible local beneficiaries of economic development. The economic displacement has often also been accompanied by feelings of political marginalization as traditional elites are undermined by governmental policies and demographic changes. In Aceh, it has been this socio-economic competition between groups that has created an environment of tension and fear.

From the preceding discussion it also becomes apparent that the former authoritarian nature of the Indonesian political system has served to both intensify the conflict discussed here, and to preclude the development of any institutionalized means

of a lasting resolution.⁵⁵ In Aceh, past and present military suppression of dissent and protest is widely considered to have sustained the separatist struggles by increasing support within local communities. Support for the independence struggles in Aceh has grown in direct proportion to human rights abuses.

In another sense the legacy of authoritarian political structures can be seen as more complex than just causing resentment against military suppression. The New Order allowed little opportunity for civil society to develop. The regime's prescription for national unity and development required the creation of a "floating mass" (*Massa mengambang*) of a depoliticized population. The dual function role (*dwifungsi*) of the military was a means of providing for military control of all levels of society.⁵⁶ With a decline in TNI capacity as the final arbiter of inter-communal disputes, the absence of impartial and legitimate institutions has increased the likelihood of violence. As the political scientist Samuel Huntington argues, "A society with weak political institutions lacks the ability to curb the excesses of personal and parochial desires."⁵⁷ The Indonesian Government should not take only military or political action against the GAM but it needs to

⁵⁵ 'Indonesia: Small bureaucracy, big task', *Australian Financial Review*, 10 May 2001.

⁵⁶ B. Lowry, 'Indonesia: tumult and hope', *Australia-Pacific Defense Reporter*, January 2000.

⁵⁷ S. P. Huntington, *Political Order in Changing Societies*, *Yale University Press*, 1968, 24.

address the economic and social aspects of life in order to end the conflict and brings peace to Aceh.

Appendix I



MAP OF INDONESIA



MAPS OF ACEH



MAP OF ACEH

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