

## Chapter 2

# Ending a Long-Standing Intrastate Conflict Through Internationalisation: The Case of Aceh in Indonesia

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**Abstract** This chapter first provides the historical narrative of the Acehese ethnic conflict in Indonesia which saw two insurgent organisations emerging in different periods of post-independence Indonesia and struggling for ethnic secessionism causing three waves of violent flare-up. The chapter then focuses on the struggle of the second group, the Free Aceh Movement (GAM) and identifies three fundamental incompatibilities that the struggle represents: (1) GAM's claim for independence and Jakarta's need to maintain the territorial integrity of the Indonesian state; (2) GAM's demand for a UN-supervised referendum on the future of Aceh and Jakarta's objective of promoting all-inclusive dialogue involving all elements of Acehese society, as the means to articulate the collective will of the Acehese people; and (3) Acehese grievances over the control of natural resources in the province by the national government, especially oil and natural gas and the latter's need to pursue the economic development of Indonesia by exploiting these resources. The chapter then examines how conflicting parties conducted themselves for the dissolution of the incompatibilities. The national government gradually shifted from hardline to softline approaches as lessons were learnt accumulatively from its mistakes. As the conflict became more and more internationalised, Jakarta switched from containing the conflict within national boundaries to seeking international help and expertise for the final settlement of the conflict.

**Keywords** GAM • Cessation of Hostilities Agreement (COHA) • Ripe moment • Martti Ahtisaari • Helsinki MOU • Aceh Monitoring Mission (AMM)

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## 2.1 Introduction

The Aceh conflict was one of the major and long-standing intrastate conflicts within the domain of ASEAN. Beginning as part of the Darul Islam-led provincial rebellion in September 1953 and alternating with dormant periods, the conflict had a long span of life with varying degrees of intensity across the different periods of the post-independence Indonesia, which witnessed three waves of flare-up in September 1953–May 1962, December 1976–December 1979 and May 1989–August 2005. A wide range of conflict management measures, including military operations and negotiations, were employed to address the conflict before it was finally brought to an end peacefully in August 2005. It is of interest to note that mediation led by international non-governmental organisations (NGOs) played a crucial role towards the final stages of the conflict. This shows a significant departure from the conventional “ASEAN Way of conflict management” (hereinafter referred to as “ASEAN Way”), which dictates that any intrastate conflict can be handled by preventing it from becoming internationalised. Several questions can be asked in this regard. Why was the Aceh conflict not managed successfully by following the conventional ASEAN Way? How was the conflict internationalised and after the internationalisation, how was it handled? What does the way the conflict came to an end imply for the ASEAN Way, in both its conventional and emerging form? Were there any roles played by actors within ASEAN or any functions served by norms, values and principles of ASEAN that contributed to the settlement of the conflict? If there were, how can they be assessed? Was a mediation regime formed for this conflict? If it was, how can it be defined and assessed?

With the above questions in mind, this chapter looks at and assesses strategies adopted by the Indonesian government to manage the Aceh conflict. In doing so, incompatibilities involved in this conflict, fundamental or arising from new situations, are identified, different approaches to address the incompatibilities are examined and the results of these approaches to the incompatibilities are investigated. To achieve these objectives, the following part is divided into historical periods, following the sequence of Indonesian administrations and provides narratives of the Aceh conflict—its background, origin, escalation, de-escalation and end—and examines and assesses the manners in which the conflict was handled by each of these administrations.

## 2.2 Aceh Conflict and Its Management Under the Sukarno Administration

The Aceh conflict consists of two conflicts which took place in different times. The first conflict started during the Sukarno administration in September 1953 when an Islamic cleric, Daud Beureu'eh declared the separation of Aceh from the Republic of Indonesia and was brought to an end in May 1962 with a formal surrender of the

leader of the rebellion. The second conflict, on the other hand, began in December 1976 with an uprising by a separatist Free Aceh Movement (GAM) that continued its struggle over five Indonesian administrations until it finally signed a historical peace agreement with the Indonesian government in August 2005. This section focuses on the first Aceh conflict, which arose from the process of the secularist national government strengthening the territorial integrity of the young state.

### ***2.2.1 Pre-history and Post-independence Formation of the Aceh Conflict***

Aceh had long been a sovereign kingdom or the Sultanate of Aceh since the late fifteenth century and for quite some time after the arrival of the colonial powers in Southeast Asia, the sultanate had conducted its foreign policy independently. In the Treaty of London signed by Great Britain and the Netherlands in 1824, both countries agreed to respect the sovereignty of Aceh. In the process of colonisation of the then East Indies corresponding to the current Indonesia, Aceh was the last province to be conquered and put into the Dutch colonial rule. Local heroes, such as Teuku Umar, Cut Nyak Dien and Teuku Cik Di Tiro, led resistance movements and it took 69 years for the Dutch to conquer the indomitable province at the high costs of war (Veer 1985: 175).

In the early days of Indonesian independence, the Acehnese people supported the newly established republic. This fact was reflected in a statement made in October 1945 by Daud Beureu'eh, a prominent Islamic cleric and Acehnese leader, calling on the Acehnese people to oppose the Dutch re-occupation and defend Indonesia under the leadership of Sukarno and Hatta (State Secretariat 1975). The commitment of the Acehnese people to the independence of Indonesia and their acceptance of their own homeland within the framework of the new republic were manifested as well by their financial support for the Indonesian struggle. A group of Aceh traders (Gasida), for example, donated Dakota-2 type aircraft for the cause. This aircraft played a significant role in administering the newly emerged nation especially in strengthening its foreign relations (State Secretariat 1975). However, in the course of the independent Indonesia, the relationship between Aceh and Jakarta deteriorated constantly, which eventually resulted in a rebellion led by Daud Beureu'eh in 1953. The reasons for the increasing tension between Aceh and the national government can be considered in terms of: (1) national ideology, (2) centralisation policy and (3) the status of Islamic law.

When Indonesia declared Pancasila in August 1945 as its own national ideology, there were two camps contending with each other in promoting their own ideas of a state: (1) the nationalist camp, which envisaged an Indonesia based on the secularistic Pancasila and (2) the Islamist camp, which aimed to adopt Islam as the organising ideology of the state. Daud Beureu'eh was among strong proponents of the latter. After Pancasila was endorsed as the state philosophy, Islamist groups

increasingly felt that their aspirations would not be met sufficiently in the new state. Despite growing dissatisfaction among the Islamists, Daud Beureu'eh still expected the Indonesian government to allow the Acehese to implement Sharia law in their home province on the ground that Islamic values had taken root deeply in their own community. Their wish was apparently supported by President Sukarno in his first trip to Aceh in June 1948. Responding to Daud Beureu'eh's request to allow Aceh to adopt Shariah law, Sukarno promised to grant the province with special autonomy, hereby enabling it to manage its own local affairs according to Islamic jurisprudence (Santosa 2006: 142–144). To follow up the promise, a few prominent Acehese leaders met head of the emergency government of Indonesia, Sjafruddin Prawiranegara in 1949 when he was dispatched to Aceh from Bukittinggi, the site of the emergency government. Those leaders urged him to create a fully autonomous province in Aceh. This request was responded to positively by the national government issuing Decree Number 8/Dec/WKPM in 1949 (Djumala 2013: 26).

However, when the administration was taken over by Premier Mohammad Natsir, the government issued a decree to incorporate Aceh into the North Sumatra Province with Medan as its capital. The downgraded status of Aceh incensed Daud Beureu'eh as he was a previous ruler of Aceh. He felt that the national government reneged on its promise. He also felt slighted as the one who had fiercely defended Aceh from the Dutch re-colonisation. Daud Beureu'eh rejected the centralization policy and continued to demand that Aceh be an autonomous province separated from North Sumatra. Reacting to his demands, President Sukarno delivered a speech in Amuntai, South Kalimantan in January 1953 and made it clear that Indonesia would never adopt Islam as its own national ideology. The announcement and the following exchanges between Jakarta and Aceh prompted Daud Beureu'eh to declare in September 1953 that he would join the separatist movement of the Islamic State of Indonesia or Darul Islam, which had previously been proclaimed by Kartosuwirjo in August 1949 in West Java. Daud Beureu'eh received a strong support from the Acehese people and leaders for his decision. Hereby started the Aceh conflict, where the Acehese people and the national government clashed with each other over national ideology and separatism (Djumala 2013: 27).

### ***2.2.2 Indonesian Government's Strategy of Weakening a Party to the Conflict into Surrender***

Responding to the revolt by Daud Beureu'eh and his followers, President Sukarno took a hardline approach by deploying the military force to Aceh through reinforcements from North and Central Sumatra. One by one the towns controlled by rebels were re-taken. Having been pushed out of large towns, Daud Beureu'eh and his followers continued resistance in the jungle. Apart from conducting the military operation, Jakarta adopted a policy of accommodating to one of the demands of the rebels by restoring Aceh as a province separated from North Sumatra with Decree

No. 24/1956. However, this decree, not answering another demand for the implementation of Shariah law, failed to halt the armed resistance. Although the government further upgraded Aceh's status by giving autonomy in the areas of religion, education and worship (Nurrohman 2006: 4), this policy change still did not include the implementation of the Sharia law in Aceh, and so Daud Beureu'eh's rebellion continued.

The rebellion came to an end after Daud Beureu'eh surrendered in May 1962, and his remaining followers accepted the offer of amnesty by the Commander of Military District I, Iskandar Muda, Colonel M. Jasin after he organised a "Consultative Gathering of the People of Aceh" in December 1962. With the return of the insurgents to the legal fold of the Indonesian Republic, peace and security in the province were restored (State Secretariat 1975). Apparently, the incompatibility involved in this conflict was dissolved by the Acehnese people's acceptance of a secularist Indonesia with Aceh as its part after almost nine years of armed conflict and with certain accommodation on the part of the central government to their aspirations.

### **2.3 Aceh Conflict and Its Management Under Suharto's New Order Administration**

The conflict between Aceh and the Government of Indonesia flared up again 15 years later during the New Order administration of President Suharto. In the 1970s, large deposits of oil and natural gas were discovered in Lhok Seumawe, North Aceh, which were eventually developed into a modern petro-chemical industry. A large-scale refinery was built in this area and operated by PT ExxonMobil Oil Indonesia (EMOI), which had been active in the province since 1968 and extracted natural gas through PT Arun Natural Gas Liquefaction (NGL) Co. EMOI expanded its operation in 1977 and began to extract natural gas in Clusters 1 and 2 in the Arun field in the province. The company also set up fertilizer manufactures, "Iskandar Muda" (PT PIM) and "ASEAN Fertiliser" (PT AAF) (Exon Mobil 2013). Most local people felt that the exploitation of rich natural resources in the province only benefited the national government, while they themselves were sidelined and left behind. In addition, they did not see the autonomy granted to themselves in the fields of education, culture and religion working sufficiently for their own benefit (Djumala 2013: 146). A building discontent resulted in the establishment of the Aceh Sumatra National Liberation Front (ASNLF) in December 1976 by Hasan Tiro (Miller 2008: 14), who claimed himself to be the supreme leader of this movement. The ASNLF was later renamed to be the Free Aceh Movement or GAM in an acronym.

### ***2.3.1 Differences Between Daud Beureu'eh's Movement and GAM***

Despite sharing similar reasons between themselves for discontent in their relations with the national government, Daud Beureu'eh's movement and GAM's struggle pursued different goals to achieve (McGibbon 2004: 6). The former was driven by its leader's desire to reflect Islamic values in the provincial government and was part of a larger movement to establish an Islamic state in Indonesia. Such agendas were relevant to the social background of Daud Beureu'eh as an Islamic cleric. His demands were similar to other separatist groups in West Java, South Sulawesi and Kalimantan, which constituted the nation-wide Darul Islam movement. The movement became prominent in Indonesia when national leaders failed to incorporate Islam as the core of the national ideology of Indonesia.<sup>1</sup> On the other hand, GAM did not demand the implementation of Shariah law in Aceh. The social background of its leader Hasan Tiro was different from that of Daud Beureu'eh, as the former was not an Islamic cleric but a nobleman and merchant. GAM was driven by an ethnic nationalist zeal and, during most of the movement's operation, sought independence of Aceh from Indonesia, but not as part of a country-wide movement (Aspinal and Crouch 2003: 5). Hasan Tiro believed that Aceh used to be a sovereign nation. It was the last bastion of an independent local polity in the Dutch East Indies, and its people forged a strong sense of being the Acehnese. During a long war with the Dutch that started in 1873, the fierce resistance of the local people against the colonial occupation gave rise to the Acehnese nationalism. In this regard, Aceh stood apart from other provinces of Indonesia. Their ethnic nationalism revived when they suffered from injustice meted out by the national government, especially in the management of natural resources in the province.

### ***2.3.2 Measures Taken by Jakarta to Cope with the Conflict During Suharto's New Order Regime***

Hasan Tiro's movement posed a serious threat to Indonesia's national security in a dual sense. First, in a large country with cultural, religious and ethnic diversity, the secession as pursued by GAM may set off a domino effect, causing chain reactions in other provinces of Indonesia and destroying the physical foundation of the republic. Second, GAM's opposition of the exploitation of rich resources in Aceh by the non-Acehnese was considered as seditious by the New Order government, which was committed to the economic development of the country as the main instrument of pursuing the twin process of state-formation and nation-building

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<sup>1</sup>A reference to Islam was removed from the Preamble (so-called "Jakarta Declaration") of a draft Indonesian constitution on 18 August 1945 after a long debate between the nationalists and the Islamists. See, Elson (2009: 120–123).

(Ayoob 1991: 267) in Indonesia. For these reasons, the Suharto administration did not tolerate the GAM movement. The government lost no time to crush the insurgency by adopting a hard power approach, i.e. military operations (Djumala 2013: 33). Thus, Suharto's New Order era can be divided into four periods following the transformation of GAM: (1) December 1976–mid-1979; (2) mid-1979–mid-1989; (3) mid-1989–late 1991; and (4) late 1991–May 1998.

### **2.3.2.1 The Period of December 1976–Mid-1979**

Despite its small size with about 70 members, GAM enjoyed strong ties in the Acehese nationalism with its members comprised of educated people, doctors, engineers, academicians and entrepreneurs. To cope with the rebellion, the national government sent Special Troop Command or "Kopassus" in 1976–1978 to Aceh to crush GAM. The Kopassus was an elite force in the Indonesian Armed Forces and had a long experience in eliminating separatist groups in Indonesia such as: the Islamic State/Indonesian Islamic Army (DI/TII) in West Java, Revolutionary Government of Republic of Indonesia (PRRI/Permesta) in West Sumatra, Total People Resistance in North Sulawesi, Kahar Muzakkar's group in Kalimantan and military operation of Naga and Pepera in West Papua. Under the command of Captain Sutyoso from "Naggala-21" team of the Kopassus, the GAM resistance was crushed with many of GAM members, including its leaders, killed, detained or driven out of Aceh or Indonesia (Subroto 2009: 58–59). Thus, GAM followers were largely dispersed into numerous places in Southeast Asia and Europe or continued their struggle underground. Their supreme leader, Hasan Tiro went into exile first in Malaysia and was eventually granted a political asylum in Sweden in 1979 (Fasya 2010).

The oppression perpetrated by Indonesian authorities against GAM during this period did not draw much attention from regional and international community. Regionally, member states of ASEAN were not willing to intervene due to their commonly held principle of non-interference. In addition, Indonesia was a heavy weight in the region and no other states in the neighbourhood dared to make an issue with Indonesia. Internationally, Indonesia under Suharto was a regional bastion of the capitalist bloc against communism in the Cold War period, and human rights violations that inevitably arose from military operations in Aceh tended to be swept under the carpet by the Western countries and its media. Also, the U.S. developed strong military interests in Indonesia under the Suharto regime, both of them cooperating intensively with each other in military affairs from supply of weapons to joint military exercises (Sarsito 2011). Economically, Indonesia awarded a concession of extracting natural gas in Aceh to an American oil company PT EMOI, as discussed above. These military and economic vested interests made it difficult for the U.S. to be openly critical of what the Indonesian government was doing domestically, especially in Aceh.

### 2.3.2.2 The Period of Mid-1979–Mid-1989

After Hassan Tiro fled overseas in 1979, GAM's activity was reduced and became dormant inside Aceh and Indonesia. Thus, along with a military operation, a government programme to integrate troops with local people, called as "Manunggal Membangun Desa" or TMMD was launched in November 1980. Taking advantage of the relative calm in the province during this period, the programme was implemented every year in cooperation between the armed forces and relevant agencies in order to improve economy and enhance the quality of life for the people in rural communities. It consisted of physical components such as the construction and rehabilitation of infrastructure, such as roads, dams, bridges and public facilities for worship, health, sports and village security and non-physical components directly related to the local people, such as literacy campaigns and civic, language and self-reliance courses. The programme managed to win a certain degree of good will from the local people, as demonstrated by fairly high rates of participation (Politik Kita 2015). Moreover, to eradicate illiteracy among the people, the TNI conducted "Operations Bakti ABRI Manunggal Aksara", dubbed "OBAMA", involving military and non-military tutors.

On the other hand, the internationalisation of the Aceh conflict was slowly unfolding in this period by the efforts of the Acehnese leaders in exile, who sought a support for their independence struggle from the international community. In particular, along with the leaders of other secessionist movements such as Fretilin in East Timor and Republic of South Molucas, they formed a joint international lobby in the United Nations for the self-determination of the "colonised nations" in Indonesia (Aceh Media 2015). In another sign of the conflict's internationalisation, GAM started to receive support from Muammar Gaddafi of Libya in 1985. He regarded GAM as a Third World nationalist movement in opposition to "imperialism, racism, fascism and Zionism" of the First World, deserving his support. GAM members were not only given refuge in Libya, but also had opportunity to acquire much-needed military skills. Between 1986 and 1989, a first batch of GAM combatants had trained in Libya, numbering up to 2000 by the count of GAM's recruiters (Ross 2005: 43).

### 2.3.2.3 The Period of Mid-1989–Late 1991

The Aceh conflict was dramatically escalated in intensity in the third period upon the return of the trained guerrillas of GAM in mid-1989 from Libya to Aceh, which tremendously enhanced the organisation's military capability. The return marked a timely departure from GAM's dormancy in consolidating its organisation, especially in establishing a structural and organisational command line mainly in Aceh Besar, Pidies, North Aceh and East Aceh. The "Libyan alumni" also recruited and trained hundreds of new members from the local community, increasing the number of GAM followers significantly. In May 1989, Jakarta declared Aceh as a military operation zone (DOM), which subsequently saw military "clean-ups" of civilians

suspected of providing any assistance to the guerrillas. The operation aimed to deter local inhabitants from giving support to GAM (Schulze 2004: 4). In January 1990, the Kopassus was sent to Aceh under the “Jaring Merah” (Red Net) operation, which lasted until August 1998. This military operation was severer and more oppressive than the previous ones. During this time, human rights violations, such as abduction, torture, disappearance and village burning, occurred systematically on a large scale.

### 2.3.2.4 The Period of Late 1991–May 1998

From late 1991, GAM’s activities decreased significantly due to the massive military operation. In a military feat, Kopassus troops on duty in Aceh shot dead the Guard Commander of GAM’s senior political leader and his staff in December 1992, considerably denting the organisation’s determination to continue resistance. Besides, the establishment of diplomatic ties between Indonesia and Libya in October 1991 and a subsequent halt to the Libyan military support to the resistance was a blow to GAM (Kemlu 2008). At the same time, the government’s measure to eliminate GAM also elicited a sympathy to the organisation among the local population, contributing to the creation of a new generation of GAM. Although its military strength was exhausted, the organisation persevered with most of its leaders in exile, who continued their struggle for independence from Sweden and Malaysia.<sup>2</sup> Despite the near demise of GAM as a military force, the government of Indonesia continued to deploy troops in Aceh, allegedly due to timber interests that certain quarters of Indonesian armed forces developed since the declaration of the military operation zone (Renner and Chafe 2006: 13).

Interestingly, as GAM’s military power diminished, its soft power increased in this period due to more attention of the international community drawn to the struggle and plight of the Acehnese people. In the early 1990s, the Amnesty International published a report on the military operation that had been launched to give a “shock therapy” to GAM followers (Amnesty International 1993: 1). This report alleged that since the Indonesian armed forces began the counter-insurgency operation in 1989, estimated 2000 civilians including young children and old folks had been killed arbitrarily. At least 1000 people had been arrested summarily and held incommunicado for more than a year, frequently subjected to torture to secure confessions or political intelligence about GAM. Others had “disappeared”, and at least 50 had been jailed with long prison sentences after trials deemed unfair.

Thus, in the beginning of the post-Cold War era, the international exposure of the Aceh conflict was enhanced significantly and Jakarta was increasingly under condemnation by the international community, especially, by Western governments

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<sup>2</sup>The presence of the Acehnese community in Malaysia was a “sanctuary” for GAM leaders to spread their ideology and solicited support either from fellow Acehnese or local Malaysians, although they faced the risks of detention and deportation to Indonesia at the hands of the Malaysian authorities, which showed the “ASEAN solidarity” with Indonesia on the Aceh issue.

and international and regional NGOs. In this manner, together with East Timor, another case of protracted conflict within Indonesia at that time, Aceh became a major reason for Western attacks on the country. The U.S. action against Indonesia turned out particularly hurting. In October 1992, the U.S. imposed sanctions on Indonesia to ban military aid and suspended the International Military Education and Training (IMET) programme. Especially, Bill Clinton's tenure as U.S. President from January 1993 to January 2001 saw the U.S.—Indonesia bilateral relations brought to a nadir with the U.S. expanded prohibition of selling military equipments to Indonesia until the human rights situation in the country improved significantly. In January 1997, Clinton announced the "Clinton's List", which enlisted Indonesia as one of the countries classified as not yet or non-democratic in Asia. As a president from Democratic Party, Clinton upheld the human rights and democracy issues as important agenda of the U.S. foreign policy (Sarsito 2011).

Looking back on the Aceh conflict under the Suharto administration in general, the Indonesian authorities demonstrated very little desire to settle the conflict through negotiations or soft power approaches. Even though the government from time to time adopted the tactic of winning the hearts and minds of the Acehnese people, it was limited to the narrow objective of preventing them from joining GAM. The main strategy of Suharto's New Order regime to handle this conflict was elimination of GAM as a party to the conflict. This strategy succeeded in drastically reducing the military power of GAM, but inadvertently enhanced its soft power in the new post-Cold War era. More fundamentally, the incompatibility between separatism and state integrity arising from the unmet aspirations of the Acehnese people remained unattended.

## **2.4 Aceh Conflict and Its Management Under Three Post-New Order Administrations May 1998–October 2004**

The rather unexpected fall of Suharto's New Order regime in May 1998 brought about a sea-change in the context in which the Aceh conflict was conducted and the manner it was managed. The post-Suharto process of democratisation released social forces that had been simmering under the authoritarian political repression, and these forces in turn impacted on the Aceh conflict and its management. Resulting changes are looked at by dividing the post-Suharto and pre-Yudhoyono era into three administrative periods: (1) Habibie administration May 1998–October 1999; (2) Wahid administration October 1999–July 2001; and (3) Megawati administration July 2001–October 2004.

### **2.4.1 *Habibie Administration: May 1998–October 1999***

The administration of B.J. Habibie was a transitional government, succeeding the New Order regime in emergency upon the downfall of Suharto in May 1998. The main agendas of the new president were to undertake political reform by creating a transparent and accountable government, hold general elections that would be free, confidential and fair, release political prisoners and lift a ban on independent trade unions and a restriction on free expression (Rafick 2007: 191). Besides, he responded to the popular demand to abolish the so-called dual function (*dwifungsi*) of Indonesia National Armed Forces (TNI) and made an effort to bring Indonesia's human rights system to the international standard by approving two acts: Law No. 5/1998 on the ratification of Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and Law No. 29/1999 on the ratification of the Convention on the Elimination of All Forms of Racial Discrimination of 1965 (Rafick 2007: 228).

In a new political landscape, Habibie adopted a conciliatory approach to the Aceh conflict by treating GAM, not as public enemies like before, but as Indonesian compatriots (Ali et al. 2008: 197). Moreover, the political situation in the post-Suharto era was not favourable to the TNI, whose public trust hit a nadir due to its association with severe human rights abuses under the previous administration. To restore the trust of the local people in Aceh towards the Indonesian authorities, including the TNI, the new administration revoked the military operation zone (DOM) in the province in August 1998, extended amnesty to GAM political prisoners, granted financial aids for orphans and widows of war victims and provided children of ex-combatants with opportunities to be employed as civil servants. More fundamentally, through Decree No. 44 of 1999, the national government restored the autonomous status to Aceh with its provincial government bestowed with a wider authority in the areas of education, religion, customs and Muslim clerics, except for economic management. In a remarkable departure from the past, the Indonesian government under Habibie began to seek help from the international community in addressing the Aceh conflict. Its prime choice was ASEAN, but this idea was rejected by GAM, which justifiably suspected that ASEAN would be biased for the government and put pressure on the organisation's leadership for concessions. GAM counter-proposed a UN intervention, but this proposal was unacceptable to the national government and Indonesia at large, which just saw a turmoil in East Timor in the wake of the UN-supervised referendum in August 1999 (Djumala 2012: 75).

### **2.4.2 *Wahid Administration October 1999–July 2001***

The Habibie administration was at the helm of the country for about one and a half year until Abdurrahman Wahid was sworn in as Indonesia's 4th President in October 1999 after legislative elections. The period of the Wahid Administration was

characterised by a soft approach to the Aceh conflict, which was pursued by democratic principles of the new Indonesia and peaceful means, although Jakarta still maintained its position that the settlement of the conflict should be within the framework of a unitary state. Admitting the fundamental incompatibility in the conflict, Wahid stated in an interview with Radio Netherland that as a democrat he was not able to neglect the wishes of the Acehnese people for self-determination, but as a republican he was obligated to safeguard the integrity of Indonesia (Malik 2009).

Initiating an effort to win back the Acehnese minds, Wahid offered GAM a referendum to be held in Aceh with three options to choose from: (1) total autonomy; (2) semi-autonomy with shares of revenues from natural resources between Aceh and national government standing at 75 and 25 %, respectively; and (3) special province's status (Djumala 2013: 40). Presumably reflecting the shock of the Indonesian people from the results of the recent referendum in East Timor, independence was not among the options (Aspinal and Crouch 2003: 9). In a taboo-breaking move, however, Wahid invited prominent GAM leaders for peace talks. Confidentially, he picked up Minister for Secretary of State Bondan Gunawan as an envoy to meet Commander of GAM, Abdullah Shafii in Pidie in North Aceh (Mubarakh 2009). This direct contact between the government and rebels marked the beginning of a peace process in Aceh, as Irwandi Yusuf, a GAM leader who was to become Aceh Governor later paid homage to Wahid as a pioneer of peace in the province (Djumala 2013: 41).

In a further sign of increasing openness on the side of the Indonesian government, Wahid decided to seek the help of third parties to mediate the negotiation. In this regard, he would rather use NGOs, which were considered to be flexible with substantial room for manoeuvre and command local knowledge with the sensitivity to grassroots issues than official organisations such as the UN. Thus, a Geneva-based Henry Dunant Center (HDC) having already sent an assessment mission to Indonesia in September 1999 was accepted by the Wahid administration and began to work in November of the same year as a mediator in the peace talks. Established in January 1999, the organisation had offered its service through coordinating negotiations and dialogues between the parties to conflict (Djumala 2012: 75). HDC's early efforts in Aceh were made by conducting pre-negotiations as a preparation for official talks. These activities were carried out in three rounds of informal meetings to draft necessary provisions for the mitigation of the suffering of the local Acehnese. Thus, these pre-negotiations successfully led to the official talks, which, in turn, resulted in a Joint Understanding on Humanitarian Pause for Aceh (JoU) in May 2000. By signing this document, both Jakarta and GAM agreed on ceasing violence in Aceh, reducing tensions and the suffering of the Acehnese people, building confidence between the two parties, creating a space in which the Indonesian government could provide services, protection and assistance to the victims of the conflict and establishing the Joint Security Committee to preside over the peace process (Centre for Humanitarian Dialogue 2003: 6–7, 44). In early January 2001, the HDC brought together the representatives of the Indonesian government and GAM to a dialogue held in Switzerland. This was the first direct

meeting between the two parties, in which they agreed to a political solution to the conflict. They also agreed on the establishment of a moratorium of violence at the expiry of the JoU in January 2001 and over a HDC-facilitated Joint Council for Political Dialogue (JCPD) in order to review progress, deal with issues arising from the democratic consultation and ensure that all relevant parties comply with agreements (Centre for Humanitarian Dialogue 2003: 9–10).

As can be observed above, the internationalization of the conflict had already become inevitable by the time Wahid took the rein of the country (Djumala 2012: 76). First, with most GAM leaders being no longer Indonesian citizens due to their Swedish citizenship and their activities based in the Nordic country, the drive of the conflict came outside of Indonesia. Second, what was taking place in Aceh was increasingly regarded in humanitarian terms by the international community, legitimising external parties to intervene in the situation. The conflict had lasted for more than three decades and there was an increasing general perception that it could be solved only by involving external third parties including NGOs and the media. In this regard, the Indonesian media and local NGOs played an important role in the blooming freedom of the press and speech in the post-Suharto era. They disclosed human rights violations in Aceh in their news and reports, which were easily picked up by the international community. Meanwhile, for GAM, dialogue and negotiation with the national government were regarded as a strategic opportunity in their opposition to the rule by Jakarta. Under Suharto's rule, GAM was considered as a group of combatants and a security threat. By engaging in negotiation, GAM was no longer considered as such but as a political entity recognised by the national government. This *de facto* recognition was enough for GAM to build up its own positive image as the legitimate representative of the Acehnese aspiration. In addition, GAM wished to create the same image also in the eyes of the international community. GAM treated negotiations as a vehicle to put the issue of Aceh onto the international arena, with the hope that the international community would extend support to its cause (Djumala 2013: 43).

Although Jakarta—GAM negotiations materialised, the efforts to implement peace on the ground faced serious challenges. First, the disarmament process during the humanitarian pause would make GAM militarily weaker than the TNI. To compensate for this disadvantage, the former exploited the pause period to expand its base and support among the local people and consolidate its military strength. Besides, GAM launched provocative acts against Jakarta by flying a GAM flag and playing on the religious sentiments of the local people, saying “Life is sunnah (optional) and death is wajib (mandatory)”. It meant that it was compulsory for the Acehnese to struggle for a nationhood even to death (Tippe 2000: 89). Second, the TNI and police were ordered not to launch any offensive during the humanitarian pause as stipulated in the JoU of May 2000. This restriction exacerbated the security situation in Aceh to such a point that the TNI had to resume a “limited military operation” in April 2001 under Presidential Decree No. 4/2001 (Centre for Humanitarian Dialogue 2003: 10–11). Thus, until the end of the Wahid administration, violence was still going on, showing that the JoU and its successor moratorium of violence was not kept as had been expected by the parties.

Despite continued violence, Wahid did not cease to hold an olive branch to GAM and intended to grant an extended special autonomy to the province in his expectation that the organisation accept the offer and end the uprising. To show goodwill further, the national government and the House of Representatives were drafting a Law on Aceh Special Autonomy. The draft stipulated a regulation on oil and natural gas revenue proportion standing at 70 % for local government, implementation of Shariah law with the formation of a Sharia Court, and creation of local institutions and representation called “Wali Nanggroë” as a symbol of indigenous cultural preservation and a unifying council for the Acehese people (Fasya 2010).

### ***2.4.3 Megawati Administration July 2001–October 2004***

With the replacement of Abdurrahman Wahid by Megawati Soekarnoputeri as Indonesian President in July 2001, hard power elements were strengthened in the management of the Aceh conflict. This change was related to the ideology upheld by Megawati as chairman of a nationalist Indonesian Democratic Party-Struggle, known PDI-P. Her political view was in line with the Indonesian national ideology, which viewed the Aceh conflict from a perspective of national cohesion and integrity.

Megawati’s policy was driven by a sense of patriotism, nationalism, and a negative assessment on the humanitarian pause, which the new government regarded as violated by GAM in its attempt to expand its influence. Her policy drew support from prominent Muslim figures and advocates of human rights, such as Nurcholish Madjid, Amin Rais and Syafii Ma’arif (Djumala 2013: 53). They wanted the government to undertake an approach comprising both hard power and soft power elements as long as GAM continued to demand independence. Besides internal factors, the new approach seemed to be affected by external conditions as well, particularly the Iraq War, which began in March 2003. The US victory over Iraq had impacted on the minds of her senior officials, convincing them of the necessity to use force to suppress the Aceh rebellion (Djumala 2013: 47).

The hard power elements led to tension between the TNI and GAM. In fact, Jakarta reaffirmed its zero tolerance policy for separatist groups and many senior officials insisted on halting the dialogue with GAM (Aspinal and Crouch 2003: 24). In addition, these hardliner officials viewed that military operation was the only option in safeguarding the national integrity. Minister of Home Affairs, Hari Sabarno remarked that it was no longer possible for the government to have a dialogue with GAM. So did Special Force “Kostrad” Commander, Lieutenant General Ryamizard Ryacudu, who made a blunt statement that in each country armed rebels and terrorists should be destroyed. The hard stance of those government officials was driven further by the fact that GAM’s influence extended within the administration of Aceh. In June 2001, a statistical report showed that 80 % of the entire villages in Aceh or 3500 of 5000 village chiefs in the province were under the control or influence of GAM (Djumala 2013: 47).

However, the anti-GAM strategy under the Megawati administration possessed soft power elements as well due to a certain number of moderates with the administration. In early August 2001 soon after Megawati's inauguration, she signed Law No. 18 of 2001, which had been drafted by the Wahid administration. However, the extended special autonomy as provided for in the law was not able to nudge GAM to abandon resistance. For this reason, Megawati's mixed approach comprising hard power and soft power components were expected to push GAM toward accepting the offered option. This new strategy seemed to be working. For the second time, GAM became willing to negotiate with Jakarta through the mediation of the HDC. Thus, a series of talks between the two parties was initiated in early February 2002 in Switzerland, which was helped by the participation of three former senior officials of foreign governments, or "Wise Men", i.e. Retired Marine General Anthony Zinni of the U.S., former Foreign Minister of Thailand Surin Pitsuwan and former Yugoslav Ambassador to Indonesia Budimir Loncar (Djumala 2013: 48).

After several rounds of intensive negotiation on contentious issues and a "Preparatory Conference on Peace and Reconstruction in Aceh" in Tokyo to garner political and financial support of the international community, the "Cessation of Hostilities Agreement" (COHA) was signed in December 2002 by the Indonesian government, GAM and the HDC as a mediator and witness (Centre for Humanitarian Dialogue 2003: 14–19). The agreement decided the cessation of hostilities and violence in Aceh, reinstatement of the Joint Security Committee, which had ceased to function with the resumption of violence after the humanitarian pause, and creation of a Tripartite Monitoring Mission, an All-Inclusive Dialogue involving all elements of Acehnese society and a democratically elected provincial government through free and fair elections. The COHA also authorised to establish peace zones in which distribution of humanitarian aid, rehabilitation of the local population and reconstruction of the local community would be implemented. Depending on a success in confidence-building measures, demilitarisation of Aceh would also be undertaken, including the disarmament of GAM and the relocation of its armed wing from an offensive to a defensive position (Government of Indonesia and Free Aceh Movement 2002).

However, contrary to a high expectation in the beginning, the security situation in Aceh deteriorated rapidly, starting with differences between Jakarta and GAM over each other's demilitarising plan and jurisdictional roles for police and JSC. Thus, in an increasingly volatile atmosphere of provocations and agitations, the Tripartite Monitoring Mission, formed as part of the COHA, was forced to cease its operation in Aceh by the end of April 2003, despite efforts of the JCPD as the supreme body in the peace process in Aceh to stem the negative trends (Centre for Humanitarian Dialogue 2003: 20–21). Behind the unravelling of the peace process were two thorny issues in the COHA. First, the two sides held different interpretations on the content of the COHA. For Jakarta, a special autonomy under Law No. 18/2001 was the starting point for the implementation of the COHA. That is, by signing the COHA, GAM was considered to have automatically agreed to the special autonomy as offered by the Indonesian government. On the other hand, GAM thought that the COHA provided the parties with the process to review the

content of Law No. 18/2001, so that demand for independence was still an option. For GAM, therefore, signing the COHA did not mean that the organisation abandoned a demand for independence (Aspinal and Crouch 2003: 37). Second, related to the first issue, they disagreed over interpretation on the “all-inclusive dialogue” stated in the COHA. Jakarta considered it as a need for the involvement of all segments of the local population to formulate a lasting peace in Aceh. However, GAM interpreted it as a need to hear aspirations of the Acehnese people through referendum under the supervision of the UN. The latter’s interpretation was clearly unacceptable to Jakarta, which viewed any referendum as sensitive after the loss of East Timor in the aftermath of the UN-conducted referendum (Djumala 2013: 50). In negotiations leading to the COHA, these differences had been recognised by the representatives of both sides, but papered over by a tacit understanding toward each other’s position (Centre for Humanitarian Dialogue 2003: 18). This may be one practical way of managing incompatibilities in the short term, while they must be dissolved or transformed eventually before the conflict is fully settled. However, the crisis of early 2003 removed the ambiguity and a manoeuvring space over the incompatibility, forcing the parties to highlight their mutually incompatible positions. Apparently, the HDC-mediated peace process had not installed an effective mechanism to manage crisis, which could occur from time to time as long as the fundamental incompatibility remained intact.

In May 2003, when a last minute JCPD meeting in Tokyo failed to salvage the COHA, the government of Indonesia declared a martial law in Aceh and imposed a military emergency on the province. Military forces were mobilised on a large scale to Aceh, which was known as the most massive military deployment in the country since the Indonesian invasion of East Timor in 1975 (Centre for Humanitarian Dialogue 2003: 2). The armed forces were poised to destroy the GAM machinery down to the grassroots. Initially, army leaders claimed that it would take six months to finish off GAM as a military force. However, the TNI operation was to continue without achieving its original goal even after the Megawati administration came to an end in October 2004. In the meantime, the TNI was subject to criticism or even indictment due to a “gross violation of human rights” and civilian killings (Aspinal and Crouch 2003: 45).

Thus ended the HDC-mediated peace process in Aceh. Despite a considerable degree of success in the HDC mediating the two sides in the early period, the peace process was not able to manage the crisis arising from the fundamental incompatibility of the conflict, that is, differences over autonomy versus independence and a third party-supervised referendum versus a whole community consultation. These incompatibilities had been managed fairly well by mutual accommodation and self-restraint on both sides until the outbreak of the crisis a few months after the signing of the COHA. Relatively insignificant issues quickly developed into a major crisis, which eventually demolished the peace process without any effective mechanism of crisis management built in itself. Apparently, the low confidence between Jakarta and GAM and lack of strong political will at the top level of the national government to maintain the peace process failed to prevent negative chain reactions from going off when some incidents took place.

## **2.5 Aceh Conflict and Its Management Under the Yudhoyono Administration October 2004–August 2005 and After**

The stalemate of the Aceh conflict began to loosen up in 2004 when Susilo Bambang Yudhoyono (SBY) and Jusuf Kalla were sworn in as Indonesian President and Vice-President. This period saw a convergence of various factors, which had come into being in previous periods or newly arose, to impact on the conflict and its management. As a result, the conflict became “ripe” (Zartman 1995: 8) for a negotiated settlement. This section identifies these factors and examines how they worked for the final settlement of the conflict.

### ***2.5.1 Paving a Way for a Peaceful Settlement of the Conflict***

The much-needed change in the manner the Indonesian authorities handled the Aceh conflict gained momentum when SBY and Jusuf Kalla won the presidential election in September 2004 and embarked on a soft power approach to the conflict. This policy change can be seen in political and personal terms. First, reflecting the progress and consolidation of democracy in the republic for the past six years since the downfall of the New Order regime, SBY and Kalla were the first President and Vice-President who had been elected directly by the Indonesian people. As the role of the TNI as the ultimate guardian of the country’s integrity and stability was fading away, the new democratic milieu was conducive to applying a non-military solution to the Aceh conflict by inspiring a sense of confidence into those who were the stakeholders of the conflict.

Second, the Yudhoyono administration’s tilt for a soft power approach was influenced by the personal qualities of the country’s two top leaders. They were firmly convinced that the Aceh conflict could not be solved permanently and conclusively by military means (Aspinal 2005: 66; Morfit 2007b: 127–128). During the Megawati administration, SBY had been involved in managing the Aceh conflict as Coordinating Minister of Security and Politics and manoeuvred around hardliners in the government and TNI in his efforts to save the option of a peaceful settlement. Thus, in a symbolic move, immediately after getting elected as Indonesian President, he visited Aceh and personally promised to the Acehnese people that he would resolve the conflict by peaceful and just means with dignity to the Acehnese people (Yudhoyono 2004: 2). Meanwhile, Vice-President Kalla had impressive track records as a peace negotiator. As Coordinating Minister of People’s Welfare in the Megawati administration, he contributed to the resolution of religious conflicts in Poso in Central Sulawesi and Ambon in Southern Maluku (Khabibi 2015). Like SBY, he was no stranger to the Aceh conflict, either. Upon the collapse of the COHA, Kalla undertook to create necessary conditions to resume dialogues with GAM, exploring every possible avenues (Hamid 2014). His

expertise as a seasoned mediator in other conflicts in Indonesia added substance to the new administration's claim for a new approach.

On the part of GAM as well, a policy change was imminent. Its military structure suffered a serious damage from the massive military offensive that the Megawati administration had launched. It is estimated that after six months of the military operation, the TNI effectively reduced GAM's military capacity almost by a half (Sukma 2004: 25). The new reality on the ground was creating for the rebel leaders a "hurting stalemate" (Djumala 2013: 90; Zartman 1995: 8), a situation in which GAM could not continue its armed struggle without adding unacceptable damages to itself. Apparently, this dilemma demanded a fundamental change in the organisation's strategy for conducting the conflict. On the other hand, it can be said that Jakarta was in a "hurting stalemate" of a different kind. In addition to domestic woes such as the plethora of new separatist movements across Indonesia and the old ones that had been reinvented, and lingering financial difficulties since the late 1990s (Morfit 2007b: 124–125; Batista 2014; Rafick 2007: 315), the Aceh conflict had been exposed to the international community so much that the Indonesian government could no longer pursue its hard power approach without hurting the country's national interests. The situation of the Aceh conflict seemed to be approaching a "ripe moment" for a negotiated settlement. A formula for a way out (Zartman 1995: 18) was found in the further internationalisation of the Aceh conflict.

In this regard, a prominent feature of SBY-Kalla administration's approach to the Aceh conflict was that it actively took advantage of and consolidates the international infrastructure for a peaceful settlement of the Aceh conflict, which its predecessors and international actors had been building strenuously. Thus, in January 2005, Vice-President Kalla invited to his office in Jakarta the ambassadors to Indonesia from relevant countries, such as Libya, the U.S., Britain, Australia, Sweden, Finland, Singapore and Japan (Awaludin 2008: 49; Djumala 2013: 182). These countries were involved in the international effort to address the Aceh conflict in different ways: Libya for political and moral support of GAM; the US, Britain and Australia for political influence in the international community; Sweden and Singapore for granting citizenship or residence to GAM leaders; Japan for economic aid; and Finland for mediation. For the SBY-Kalla administration, these contacts with the representatives of relevant countries had, among others, the strategic objective of indirectly influencing the leadership of GAM for a more positive attitude in its interaction with Jakarta. Following a request from the Indonesian government, the governments of these countries approached GAM's leaders. Especially, those of Europe and the US started influencing activities, aiming to persuade these leaders to hold talks with the national government, while the military operation launched by the Megawati administration had yet to be recalled.

### ***2.5.2 Tsunami Disaster as a Catalyst for Conflict Resolution***

In December 2004, Aceh was hit by a massive tsunami, which killed 160,000 people in Aceh alone and made a number of the local people homeless (Aguswandi

and Large 2008: 101). A day after the tsunami, GAM declared a unilateral ceasefire, which was unconditional and to last indefinitely. GAM also requested the Indonesian government to reciprocate it. This was for the purpose of opening up in the conflict a respite space, which would not only mitigate the plight of Acehese people having caught in the conflict, but also create a wide range of opportunities for humanitarian relief operations. In a sense, the disaster struck the province at an opportune moment, prompting both sides to resume peace talks, which would be facilitated by a new Europe-based NGO called the Crisis Management Initiative (CMI), founded by Martii Ahtisaari, a former President of Finland. Actually, both sides had already agreed to revive the peace process before the disaster, as Ahtisaari was informed two days before the Christmas Day, that is, three days before the Aceh tsunami that Jakarta and GAM had agreed to appoint the CMI as a mediator (Djumala 2013: 89). Thus, having a senior political figure and respected diplomat at the top, the CMI enjoyed a higher stature as a mediator than the HDC in the previous peace process (Aspinal 2005: 4; Ahtissari 2008).

### ***2.5.3 Road to the Helsinki MOU 2005***

The involvement of former Finnish President Ahtisaari as a mediator in the new peace process was not only sought after eagerly by the Indonesian government, but also convinced GAM leaders in exile in Sweden of the benefits of participating in the negotiations to be held in Helsinki and supported by the Finnish government. The essence of the Helsinki peace process was the interaction between negotiators from GAM and Jakarta for a joint decision-making (Morfit 2007b: 139). For the interaction to be fruitful, it was essential that negotiation teams from both sides face each other as valid spokespersons of coherent collective actors so that their positions and demands may represent their respective constituencies (Zartman 1995: 22). In this regard, the Indonesian government faced far greater challenges than GAM. While the latter had always maintained a high degree of internal discipline and coherence since the beginning of its struggle with Hasan Tiro as its undisputed supreme leader, the former had to forge a coherent strategy for peace negotiations based on a consistent Aceh policy, reign in hardliners or potential spoilers in the government and TNI who might derail the peace process and mend divisions among various stakeholders across the country. This was a huge enterprise on the part of the national government, involving the creation of a political structure ready for a peaceful and creative transaction with GAM through its negotiation team, and SBY and Kalla achieved this gigantic task (Morfit 2007b: 124–125, 128, 130–132).

From January to July 2005, five rounds of talks were held. The series of the negotiations began with establishing direct official communication and dialogues between the two sides, and proceeded to the next stage where both parties agreed to accept the unitary state of Indonesia and to seek a comprehensive solution to the Aceh problem within this framework. Building on these results, the peace talks then discussed the creation of the mechanisms to monitor the implementation of the

agreements and commissioned CMI to prepare a draft Memorandum of Understanding (MOU). The accelerated process of the negotiation led to a joint press statement by Jakarta and GAM, announcing that they had reached an agreement on the final version of the MOU. One month after the final round of the talks, both sides in August 2005 signed the MOU known as the “Helsinki MOU 2005”, marking officially the end of the three decades of the Aceh conflict. The extremely quick pace with which the peace talks progressed has been credited to the CMI mediation carried out vigorously by former President of Finland Ahtisaari (Morfit 2007b: 116).

### ***2.5.4 Addressing Incompatibilities in the Aceh Conflict***

It is possible to identify three fundamental incompatibilities in the Aceh conflict that had existed since the GAM uprising started: (1) GAM’s struggle for independence and Jakarta’s need to maintain the territorial integrity of the Indonesian state; (2) GAM’s demand for a UN-supervised referendum on the future of Aceh and Jakarta’s objective of promoting all-inclusive dialogue involving all elements of Acehnese society, as the means to articulate the collective will of the Acehnese people; (3) Acehnese grievances over the control of natural resources in the province by the national government, especially oil and natural gas and the latter’s need to pursue the economic development of Indonesia by exploiting these resources.

The first two incompatibilities, which were related to each other, were dissolved in the course of the Helsinki peace process, in which mediator Ahtisaari exercised his authoritative influence to make the GAM negotiating team give up their position on these matters and accept Jakarta’s. From the beginning, he ruled out the independence option from the parameters of the negotiations and imposed the option of “special autonomy” as proposed by Jakarta. In his carrot and stick approach, he was in a good position to reward GAM for accepting his hard suggestions with international provisions and benefits at his command, such as the logistic support of the Finnish government and involvement of the European Union in the proposed Aceh Monitoring Mission (AMM) (Morfit 2007b: 138). His “power mediation” style was reflected in the following remarks of his:

I made it clear that I was doing them a favor. If both sides did not come prepared for serious negotiations, I told them I was not interested in wasting my time and energy (Morfit 2007b: 137–138).

[I was] very tough on the GAM about this framework. I was not afraid to tell them the hard facts: I don’t see one single government in the world that supports you (Morfit 2007b: 139).

Despite Ahtisaari’s condescending style and bias for Jakarta’s position as perceived by GAM representatives (Morfit 2007b: 139), they were eventually won over by his forceful but reassuring posture. As a result, GAM’s long-standing goals of full independence and a referendum under UN auspices were abandoned during the short period of the peace talks, as is shown in the content of the Helsinki MOU 2005 (Government of Indonesia and Free Aceh Movement 2005). The facts that GAM had never raised the issue of independence since then, that the 2006

provincial government elections were conducted relatively smoothly with high rates of voter participation and that a well-known hardliner duo in GAM, Irwandi Jusuf and Mohammed Nazar were sworn in as Governor and Deputy-Governor of the Aceh provincial government as a result of the elections and mended relations with their former opponents in Jakarta amply testified that this change on the part of GAM was genuine (Morfit 2007a).

Another fundamental incompatibility, i.e. over the control of natural resources in Aceh had been dissolved by a major concession on the part of the national government. This concession was made easier by SBY's prior instruction to his negotiation team to Helsinki that all issues would be negotiable as long as two fundamental conditions, i.e. maintaining the territorial integrity of the Indonesian state and upholding the framework of the constitution of the Indonesian state were met (Morfit 2007b: 132–133). Thus, it was agreed in the talks that Aceh would permanently get 70 % of the revenue from hydrocarbon deposits and other natural resources in the territory of Aceh and the surrounding territorial sea (Djumala 2013: 147). This was a major concession by Jakarta and reflected a highly privileged treatment that the national government was willing to extend to Aceh, as its previous offer was 70 % of the revenue for the first 8 years, then to be reduced to 50 % thereafter. Even the figure of 50 % could be considered extremely generous to Aceh in comparison with other regions, which were entitled to 15.5 % for oil and 30.5 % for natural gas (Djumala 2013: 146).

### ***2.5.5 Implementing the Helsinki MOU 2005***

Despite the official end of the conflict, the collapse of the previous COHA shows that two elements are crucial in the post-conflict peacebuilding in Aceh in order to consolidate the hard-won peace and to prevent a reversion to the decades-old conflict: (1) ensuring that what has been agreed in peace talks be implemented on the ground; and (2) installing the mechanism to manage crisis or tension that may arise in the implementation period. These responsibilities were taken up by the AMM, as stipulated in the Helsinki MOU. The AMM was operated as a joint enterprise between the European Union and five ASEAN member states of Brunei, Malaysia, the Philippines, Singapore and Thailand (Braud and Grevi 2005: 27).<sup>3</sup>

During its operation in Aceh from September 2005 to December 2006, the AMM was able to draw on EU's expertise and resources in crisis management and

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<sup>3</sup>There arose the issue of the composition of the mission. GAM preferred a UN-led AMM, which was however anathema to Jakarta due to the national trauma of the UN-supervised referendum in East Timor in August 1999 and its results. It was natural that ASEAN would be involved as part of an international solution to the Aceh conflict. However, while Jakarta was comfortable with this idea, GAM was concerned about the neutrality of ASEAN, which was known to have little sympathy with or tolerance for any separatist movement within its domain. Then, using his international reputation and connection, mediator Ahtisaari brought in the EU. GAM welcomed its involvement, which Jakarta found more acceptable than UN's participation. See, Morfit (2007b: 138).

peacebuilding and ASEAN states' experiences of contributing UN peacekeepers to the world's conflict zones, which were to be coupled with their knowledge on local culture and norms in Aceh. These qualities of the AMM component entities and its numerous programmes helped create a functioning interface between the monitoring mission and the local community, including civil society organisations, hereby generating a sense of ownership among the local people for the peacebuilding process (Lahdensuo 2010: 26). Moreover, the new local environment thus created was successful to a considerable degree in enhancing confidence between GAM and TNI, the lack of which was the main cause of failure in crisis management in the previous peace process.

Thus, under the international monitoring of the AMM, the crucial early period of implementing the Helsinki MOU was completed without particular frictions or tension, progressing through the so-called "DDR" phases of peacebuilding, i.e. disarmament, demobilisation and reintegration, on the part of GAM and the relocation of "non-organic" security forces on the part of the TNI. Another important agenda of the MOU, i.e. the establishment of the Aceh provincial government through free and fair elections was achieved as a result of the December 2006 elections in the province on the basis of the Law of the Governing of Aceh enacted four months before (Morfit 2007b: 140). Setting up a provincial government that would truly represent the Acehnese people and protect their interests against possible encroachments by outsiders not only stabilised the Aceh community but also successfully embedded the province as integral part of the Republic of Indonesia.<sup>4</sup>

## 2.6 Conclusion

The Aceh province in Indonesia suffered from two armed conflicts in the country's post-independence history. The first conflict arose from the difference over the organising ideology of the Republic of Indonesia and the aspiration of the local people to maintain their Islamic polity in the province. This conflict was fought as part of a wider Islamist conflict in the country, led by the Darul Islam movement. After nearly 9 years of an armed separatist movement, the Aceh conflict was brought to an end by the surrender of the leaders of the movement who responded to the national government's promise of amnesty and with substantial accommodation by Jakarta to the aspirations of the Aceh people. The second conflict began with the grievances of the local people who felt they were marginalised in their own homeland by the encroachment of the rich natural resources by outsiders, the national government included. Compared with the rebels in the first Aceh conflict, those in the second conflict possessed a strong sense of the Aceh nationalism, which was in direct collision with "official nationalism" (Anderson 1991: 110–114),

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<sup>4</sup>For a detailed assessment of the implementation of the Helsinki MOU 2005, see Crisis Management Initiative (2012).

promoted by the Suharto administration through developmentalism and authoritarian rule (Oishi 2011: 32–34). The hardline approach to the conflict adopted by Jakarta hardened the resolve of the rebel leaders to continue their struggle. With an increase in international support and in the post-Cold War advancement of democracy and human rights across the world, this conflict was internationalised, and Jakarta found it increasingly difficult to manage it on its own. Thus, a soft approach and international solution were applied to the internationalised conflict, which eventually came to an end through negotiations, effective post-conflict peacebuilding measures and the dissolution of fundamental incompatibilities of the conflict.

The case study of the Aceh conflict in this chapter provides several observations on intrastate conflict and its management in the contemporary ASEAN region. First, the Aceh case study suggests the inevitability of intrastate conflict in the post-Cold War Southeast Asia becoming internationalised and the need for an international solution to internationalised conflict. The Aceh conflict went beyond the national and regional boundaries when GAM leaders who had exiled to Western countries began to promote their cause from their foreign bases. Libya responded to them by extending support to the Acehnese struggle and in the late 1980s the international community started to accuse Indonesia of human rights abuses committed in the conflict. For this reason, it seems quite unavoidable that with the downfall of the authoritarian Suharto regime, the Indonesia opened up to the ideas of external help starting with the possibility of the UN and ASEAN involvement, but eventually settled to inviting western NGOs with expertise and resources to spearhead a peace process. One of these NGOs was well-connected to the EU and European countries, which in turn provided the peace process with their own expertise and resources. Jakarta also contacted several key countries directly in order to enlist their support in accordance with their forte. As a result, various international actors joined the effort of Jakarta and GAM to amicably settle the long-lasting conflict. This *de facto* mediation regime was successful, among others, in inspiring GAM leaders with confidence in the peace process, persuading them to change the goals of their struggle and ensuring that Jakarta stick to the soft approach.

Second, ASEAN as a regional organisation could not play a leading role in the management of this conflict before and after it became internationalised, but this association eventually found a suitable role in the international efforts to keep the peace process on track. From the beginning, ASEAN and its member states were prohibited from intervening in the Aceh conflict due to the grouping's non-interference principle. On the other hand, Indonesia had long been regarded as a leading peacemaker in Southeast Asia due to its role in, among others, the Cambodian peace process and South China Sea dispute (Caballero-Anthony 2005: 95–96, 98–100; Djatal 2009: 178–179; Bercovitch and Oishi 2010: 106–109). Being a primary party to the Aceh conflict, it was not able to assume the same role in it with no other member state of ASEAN taking over the mantle of a peacemaker. Thus, the conflict's internationalisation opened a way for other member states to participate in it through the AMM. They played a significant role in the AMM by acting as a mediating structure with their knowledge on, and affinity with local

culture and practise and their experience of peacekeeping missions across the world, hereby bridging among the EU, GAM, the local Acehnese and the Indonesian authorities including armed forces. After all, it may be said that by willingly accepting international mediation, Indonesia can be credited with breaking a new ground in the ASEAN Way of conflict management in which intrastate conflict in the region can be addressed effectively.

Third, the Aceh conflict makes an interesting case of managing incompatibilities of a conflict. Although the first Aceh conflict ended with the surrender of the rebel group as was mentioned above, Jakarta made a substantial concession to the demands of the Acehnese people by restoring the Aceh province separated from the province of North Sumatra with autonomy over a wide range of local affairs. However, the Shariah was not implemented in Aceh against the wish of the Acehnese people, who changed their original position and decided to live under a secularist Indonesia. In the second Aceh conflict, the most fundamental incompatibility between Jakarta's maintaining territorial integrity and GAM's separatism was dissolved by both parties adjusting their original positions respectively. GAM was able to abandon its goal of achieving independence of Aceh in exchange for economic benefits from profit sharing deal with Jakarta over hydrocarbon deposits that was extraordinary favourable to Aceh. Given the fact that GAM's rebellion began in reaction to the encroachment of what the Acehnese people considered as their own endowment by non-Acehnese and foreigners, this deal was sufficient for GAM to end their separatist struggle. Jakarta on its part was prepared to sacrifice a substantial revenue from the natural resources for the maintenance of Indonesia's territorial integrity. Thus, this deal was a plus-sum arrangement effectively dissolving the most fundamental incompatibility in the conflict.

Finally, this case study demonstrates the importance of building confidence between the parties to conflict. During the Suharto era, Jakarta made efforts to accommodate to the aspirations of the local people, but such efforts were mostly motivated to eliminate the GAM as a party to conflict. The post-Suharto Indonesian administrations increasingly considered GAM as representing the interests and aspirations of the Acehnese people and eventually accepted it as a legitimate partner to negotiations. The trust forged through the mediation regime kept the CMI-mediated peace process from derailment and ensured that the agreements in the Helsinki MOU 2005 be implemented on both sides.

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