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**Berghof Foundation for Peace Support**

**Aceh/Indonesia  
Conflict Analysis and Options for Systemic  
Conflict Transformation**

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## Introduction

The current phase of the Aceh conflict began in 1976 when the Free Aceh Movement, or GAM (*Gerakan Aceh Merdeka*) was formed by the exiled leader Hasan di Tiro. This was the first time there was a movement demanding Aceh's independence from Indonesia. The movement, however, drew on earlier traditions of resistance against outside powers, including the long war against Dutch colonial expansion (1873-c.1911) and the *Darul Islam*, or 'Abode of Islam' revolt in the 1950s, which had aimed for an autonomous Aceh within a wider Islamic state of Indonesia. GAM aimed for independence rather than autonomy. It proved difficult for security forces to entirely eliminate it, although they came close in the late 1970s. Renewed insurgency in the late 1980s was followed by a period of harsh military repression in the early 1990s. Again the insurgency went into abeyance, only to re-emerge with even greater vigor ten years later. In 1998-99, following the collapse of the authoritarian Suharto regime, there was a burst of anti-government political activity in Aceh. A mass protest movement demanded a referendum on independence, the military was excoriated for human rights abuses and the GAM insurgency mushroomed once more, eventually gaining control of up to 70% of Aceh's territory. Following a brief attempt to negotiate a solution from late 1999 to mid-2003 (see section 2 below), the government endorsed a return to the security approach and declared a "military emergency" in May 2003.

From early 2005, after the devastating December 26 tsunami, another attempt to reach a negotiated settlement began. This time, it was mediated by the Finnish organisation, CMI (Crisis Management Initiative). In July, at a fifth meeting in Helsinki, the two sides came to an historic agreement and, finally, on August 15, they signed a Memorandum of Understanding that set out a comprehensive plan for peace. The MoU incorporates provisions for disarmament of GAM and reduction of Indonesian troop numbers, amnesty and reintegration into society of former combatants and a "Law on the Governing of Aceh" that will confer various special powers to the territory that are not enjoyed by other provinces. It also provides for the presence of an 'Aceh Monitoring Mission' involving representatives of the EU and ASEAN countries to oversee implementation.

This paper is divided into three sections. It begins by reviewing the underlying dynamics of the conflict. The second section reviews progress and gaps in major peacebuilding activities to date. The third section proposes options for peacebuilding interventions.

# 1. Analysis of the conflict in Aceh: roots of conflict, key stakeholders and dynamics

## 1.1 Drivers of Conflict

As with many internal conflicts, identifying key causes of the conflict is fraught with controversy. For many Acehnese nationalists, especially those in GAM, the conflict is essentially about identity. They say it involves a “rediscovery” of an ancient Acehnese nationhood and a struggle for self-determination. For many other observers, including those from the Government of Indonesia (GOI), the conflict arises due to particular grievances in Acehnese society about economic, human rights, religious and other issues. Acehnese nationalists are apt to downplay grievances (except insofar that they, in their view, typify the “colonial” nature of Indonesian control) and instead emphasize what they see as fundamental incompatibilities between Aceh and the Indonesian state. Supporters of the GOI downplay identity, instead pointing to grievances that (at least in theory) are amenable to resolution by way of technical policy adjustments. In fact, identity and grievance aspects of the conflict are inter-linked and mutually reinforcing.

### *Identity issues*

The conflict takes the form of a conflict over identity, with the chief goal of GAM having been self-determination for an Acehnese ‘nation.’ GAM presents a hard-line interpretation of Acehnese identity, at least until recently stressing the fundamental incompatibility between Acehnese and Indonesian identity, even rejecting Indonesia as a front for ‘Javanese’ dominance (for discussions of GAM ideology, see Aspinnall 2002a and 2002b).

The conflict is not, however like that in Sri Lanka (for instance) where a substantial minority faces a nation-state dominated by and identified with a majority ethnic group. The population of Aceh (approx. 4.2 million, only about 70% of whom are ethnic Acehnese) amounts to about 2 percent of the Indonesian population. Moreover, Indonesian national identity is fundamentally multi-ethnic, civic and inclusionary and is not overtly associated with that of the largest ethnic group (the Javanese, in any case, constitute less than 50% of the population of Indonesia). Moreover, a substantial part of the Acehnese population (especially urban dwellers and the political elite) see no incompatibility between Acehnese and Indonesian identity. Ethnonationalism has been popular, but not absolutely dominant. GAM has never been able to dominate Aceh’s territory or politics to the extent of LTTE in the Tamil areas of Sri Lanka.

Even so, successive Indonesian governments have been prepared to confer ‘special status’ on Aceh. The first to do so was the Sukarno government which, as part of the resolution of the Darul Islam revolt in the late 1950s, named Aceh a “Special Region” and gave it special rights over custom, education and religion. An important grievance giving rise to the GAM revolt was that this special status was never properly implemented by the highly centralized and authoritarian Suharto government (1966-98). In 2001, the national legislature passed a “Nanggroe Aceh Darussalam” (NAD) law which gave Special Autonomy status to Aceh (on top of wide-ranging nation-wide decentralization laws that were passed in late 1999). Key provisions included: enforcement of aspects of *shari’ah*, a

larger share of natural resource revenues than in other provinces and direct elections of governor and district heads.

Had such a law been passed and implemented in the 1960s it may have prevented the radicalization that produced GAM. Instead, it had very little impact on the conflict. First, GAM rejected the law. This was partly because the movement then believed that its independence campaign was on the verge of success, but partly because the law itself incorporated safeguards to ensure it could not be 'hijacked' by GAM (it did not recognize local political parties and disallowed as candidates for political office persons who had been convicted of a criminal offence or become citizens of a foreign country). Secondly, there were major problems in implementation due to corruption in local government as well as renewed conflict and military dominance (especially after May 2003). For instance, it is unclear that the increased revenues (which in any case expire after 8 years) had any appreciable effect on the provision of basic services, much of the money instead being siphoned off by the government in Jakarta, corrupt local officials and military operations (for an analysis of special autonomy see McGibbon 2004). As if to symbolize the failure of Special Autonomy, the direct elections of government officials, originally slated as one sign of Aceh's "special status," will not take place until early 2006, at least six months *after* most parts of the country (following revisions to the country's law on regional government in 2004).

### ***Grievances and structural causes***

The following issues have historically been viewed as important factors contributing to the conflict. They are arranged roughly chronologically, reflecting the order in which they first had a major impact on conflict dynamics. They are not arranged in order of importance. Rather, the first two factors were important in triggering the conflict in the 1970s, but have receded in urgency. Factors 3, 4 and 5, in contrast, are important *sustaining factors*, which were not important early on, but are crucial today.

1. Islam. Historically, the place of Islam was one important contributing factor to the conflict and it still features in some analyses. In the 1950s, a major goal of *Darul Islam* was implementation of Islamic law, *shari'ah*. Early in the GAM revolt, some GAM materials stressed Islamic demands. Today, Islam plays only a secondary role. GAM says that it does not aim at an Islamic state, while the GOI has moved to shore up Islamic support by allowing the implementation of aspects of *shari'ah*.

2. Natural resources. The development of the Arun fields into one of the world's largest sources of natural gas was an important factor in the emergence of GAM in the 1970s. Most of the gas revenues were absorbed by the central government, relatively few local people were employed in the industry, and local communities were adversely affected by land alienation, pollution and the negative effects of enclave development. Such factors have been important in generating grievances, but the government took steps to resolve this issue by providing for a more generous allocation of gas and oil revenues to the provincial government in the NAD law (according to one estimate, producing an increase from 515 billion rupiah to 6.6 trillion rupiah in one year: *Analisa* 11 September 2002). However, governance problems in the form of mismanagement, corruption and military dominance conspired to ensure that local communities saw few concrete benefits from this reallocation of revenues. Arguably, the appropriate remedy is now on the governance side (see below). Among other natural resources in the province, timber is also important, not so much as a source of grievance but rather as a source of financing for both the rebel movement and, especially, the TNI, which is believed to derive substantial revenues from legal and illegal logging.

3. Human Rights. Most recent scholarly analyses (e.g. Robinson 1998, Sukma 2004, ICG 2001b) agree that human rights abuses committed by the TNI have been a major (arguably *the* major) contributing factor to the conflict. Abuses have greatly deepened alienation with Jakarta and helped to generate support for the insurgency. A key turning point was the so-called DOM ('Military Operations Zone) period from 1990 to 1998 when approximately 3000 persons were killed and when torture, disappearance and rape became common. After the fall of Suharto, the GOI recognized that abuses had taken place, and promised to investigate them, punish perpetrators and compensate victims. When these things did not happen satisfactorily, they prompted a hardening of attitudes in the Acehnese public. For example, some younger-generation student and other civil society activists initially used the demand for an independence referendum merely as a bargaining chip to pressure Jakarta for human rights trials, but when this did not occur and the TNI reverted to its old methods, they became committed supporters of independence. GAM propaganda places great emphasis on human rights abuses, and many of GAM's guerrilla recruits are reportedly young men whose family members were themselves victims.

Human rights issues remain central to the conflict for at least two reasons. First, the military has continued to use many of the techniques that caused alienation during the DOM period (targeted assassinations, mobilization of civilian militias, torture of suspects, forced relocation of villagers (HRW 2003)). The GOI and military do recognize that in the past human rights abuses exacerbated the conflict, and some efforts have been made by commanders to control the behavior of their troops, including military tribunals and punishment for some soldiers (but not officers) who committed abuses. Most observers agree that these have not fundamentally altered the pattern of military operations and that abuses remain systemic and entrenched. Although the population appears more quiescent on the surface, there are good reasons to assume that these techniques are only compounding alienation, while temporarily controlling the symptoms.

Second, significant investigations, trials or other reconciliation processes have still not taken place. Although largely off the political radar until the recent MoU, it is likely that restitution for past abuses will be one of the thornier issues to be addressed in any post-agreement resolution. Public agitation on human rights in Aceh itself became virtually impossible under the declaration of the military emergency in 2003, but it was the dominant local political issue in 1998-2001. There is every reason to believe it remains crucial. The MoU signed between the two sides on August 15 provides for the establishment of a Human Rights court as well as a Commission for Truth and Reconciliation in Aceh, and for compensation for victims, but lacks detail.

Before moving on, particular attention should be paid here to the day-to-day abuses that the population experience as a result of militarization. For instance, it is well documented that troops in the field extract money from local people in the form of illicit fees and imposts in many forms, but especially as a kind of levy for passage at military check points on roads. Although most analysts of the Aceh conflict stress the more spectacular and gross abuses, it is likely that the experience of petty forms of abuses on a daily basis on a much larger scale is responsible for much of the resentment in the population.

4. Governance problems. Corruption and ineffectiveness in both civilian government institutions and the military have frequently been identified as major contributing factors to the conflict. One Bank Indonesia survey in 2001 identified Aceh as the "most corrupt" province in Indonesia. In recent years, Aceh has been rocked by a

series of corruption scandals, the best publicized of which resulted in the jailing for ten years of the governor Abdullah Puteh. Other senior officials including mayors, district heads and members of local legislatures have been investigated, charged or jailed. Main forms of corruption include diversion of money from state budgets (for instance, in the form of “mark-ups” in expenditure); collusion between officials and local businessmen in the awarding of projects and levying of illegal fees and informal payments on citizens for routine government services. From 2003, the military authorities were in the forefront of public investigations of corruption by civilian officials, as part of a general effort to improve the military’s image and to signal it was serious about responding to Acehese grievances. In fact, corruption is as serious in the military as among civilian officials, it is just much more difficult to investigate military corruption.

Corruption and related governance problems are important for the conflict in at least three ways. First, corruption directly impacts on programs designed to address grievances and impacts of the conflict. In the past, for example, large corruption scandals have involved money that was designed for post-conflict reconstruction and relief for IDPs. Second, it especially undermines public confidence in the very institutions of local government will bear the chief burden in making any compromise settlement workable. Many observers have noted a high degree of public suspicion toward local government institutions in Aceh, especially above the level of the *keuchik* or village head because of a widespread public perception that public officials are indifferent to the sufferings of the population and are more interested in using their offices for private benefit. Third, it provides an incentive for parties (especially in the military) to prolong the conflict.

**5. Structural poverty.** In the 1970s, Aceh had one of the lowest poverty rates in the country and relatively strong social indicators. The impact of protracted conflict, especially since 1998, now means that Aceh’s figures are among the country’s worst. For instance, in recent years, local government officials have said that 54% of the population lived below the poverty line (*Serambi Indonesia*, 1 November 2003) and that 1.2 million people in the province lived in unsuitable housing (*prior* to the tsunami: *Analisa*, 2 September 2004). Poverty and related social problems perpetuate the conflict by deepening generalized grievances in the population, undermining confidence in government institutions and, especially, by providing a pool of young, unemployed men, ready to be recruited into GAM’s guerilla army. Demobilization of the combatants under the terms of the agreement will need to be accompanied by targeted programs to provide them with meaningful employment and also to resuscitate the village economy more broadly (indeed, the MoU provides that former combatants will be provided with farming land or employment).

**The impact of the tsunami.** The massive December 26 2004 tsunami has had contradictory effects on the underlying conflict dynamics. As many observers noted, one impact was to increase pressure for peace. The death toll caused by the tsunami in Aceh was much greater (approximately ten times greater) than that caused by the preceding almost thirty years of conflict. This factor put significant moral pressure on both sides to resume negotiations. The international presence in the province is another factor curtailing (though not absolutely) both sides’ freedom to use violent strategies. Post-tsunami relief, rehabilitation and reconstruction also represents an opportunity for the GOI to demonstrate its good faith and effectiveness, and hence potentially to redress the sense of neglect that characterizes Acehese grievance. However, it has already become clear that tsunami reconstruction is a double-edged sword. If it repeats previous patterns of poor governance (e.g. if there is evidence of corruption in the use of reconstruction funds; a failure to consult with local communities; loss of control by local communities

over their resources, etc), then it might add to the already deep accumulation of grievance. For this reason, a rights-based and consultative approach is crucial if reconstruction work is not to worsen underlying causes of conflict.

### ***Conclusion: mutually reinforcing aspects of the conflict system***

As in many internal conflicts, the dynamic of the conflict acts like a vicious circle. Various aspects of the conflict which at first glance appear to be separate are in fact interconnected and mutually reinforcing, constituting inter-twining feedback loops that form an overall conflict system.

Some of the linkages and interconnections are obvious. For instance, militarization, although officially intended as a means to resolve the conflict, in fact encourages many in the population to identify with Acehese nationalist ideologies and to support the insurgency. Other sources of grievance also reinforce GAM's "hard" interpretation of Acehese identity, because the ethnonationalist ideology provides a simplistic means for interpreting and explaining such problems. There is already evidence, for instance, that members of some local communities are interpreting delays and reports of corruption in tsunami reconstruction as "evidence" of what they perceive as the "colonial" attitudes of the national government.

Another example is the severe feedback circle linking the conflict, governance problems and poverty. Conflict conditions themselves have impeded governance by providing an influx of funds (reconstruction and rehabilitation funds, military operations funds etc) for corrupt predation and by minimizing opportunities for oversight and control. The linkage is often very obvious: for instance, during the height of the conflict in 2000-2001, because of security concerns, local legislators and other officials were unable to visit conflict zones to carry out checks on reconstruction and other projects that were funded from the provincial budget. As a result, many of the funds earmarked for these projects disappeared into the pockets of developers and political patrons. At the same time, both the military and GAM routinely levied fees on contractors building roads and other public facilities, with these imposts often contributing to delays, sub-standard construction or cancellation of projects.

Corruption undermines the effectiveness of government programs designed to alleviate poverty, and by undermining the credibility of local government, harms the chief institutions that should mediate between the local population and the national state. The militarization of the province as part of the conflict in turn impedes media, civil society and judicial oversight, reinforcing opportunities for corruption and feeding back into the conflict system.

Finally, the political economy of conflict deserves emphasis. Despite statements of good intent by many actors on both the GOI and GAM side, one reason the conflict has become self-sustaining (apart from the cross-factor feedback loops described above) is that key conflict actors derive substantial profit and personal gain from it, in the form of extra-legal fees from large and small businesses, extortion of money from ordinary civilians, kidnapping for ransom, looting and theft, involvement in illegal logging, etc. Attention is usually directed to the Indonesian military, with observers noting fund-raising activities ranging from high-level exaction of 'protection fees' in natural resource industries through to participation by ordinary troops in petty and day-to-day extortion of the local population. Such activities became especially egregious during the period of intensified military control after the declaration of the military emergency in May 2003, with some observers noting, for example, military units engaging in monopolistic practices whereby they forced cacao producers in Central Aceh to sell to favored

middlemen at below market prices (*AcehKita*, December 2 2003). However, GAM operatives, as well as criminal elements with links (sometimes only claimed links) to GAM have also used the conflict for personal gain and to increase personal prestige.

When the current GAM conflict began in the 1970s it was driven by readily identifiable grievances (grievances that might have been amenable to timely policy interventions at the time). By the early 2000s, the conflict was also founded on a self-sustaining and resilient war economy that is likely to continue to generate pressures for renewed conflict even with substantial progress in the macro-political peace process.

## ***1.2 Key stakeholders and their place in the conflict system***

The following overview identifies some of the main actors in the conflict system, their interests in conflict and their potential openness to peace-building activities.

**GAM.** Unlike in many internal conflicts (e.g Kashmir, Mindanao) where insurgent forces are highly fragmented, in Aceh there is only one insurgent organization. To the present it remains relatively cohesive. All the main GAM field commanders profess loyalty to the Sweden-based “government in exile”, although they have considerable operational autonomy. Cohesion is partly attributable to the highly ideological (and hard line) character of the movement, which until early 2005 was solidified around an uncompromising demand for independence. It also results from key historical events which have bound together high and middle-ranking leaders (for example, many of the chief field commanders were trained in Libya during the late 1980s, an experience which bound them emotionally to many of the exiled leaders). While some of GAM’s exiled leaders and civilian advisors have middle class and urban backgrounds, the majority of the field commanders and ordinary guerrillas have more humble origins and are from villages and small towns, where they were formerly peasants, petty traders, unemployed youth and in at least some cases, petty criminals.

There are, however, points of friction and fissures within the movement, but they are not easily discernible to outsiders. With the exception of one now largely defunct dissident faction that was based in Sweden and Malaysia, there are certainly no organized factions. There are occasional indications, however, of tensions between the territorial commanders (sometimes over control of territory, arms shipment, fund-raising and related issues). It is also often difficult to ascertain precisely which leaders or units are responsible for predatory fund-raising activities (extortion from shopkeepers, businesspeople, kidnapping for ransom etc). GAM leaders usually deny responsibility for such acts, but it appears that many are conducted by GAM guerrillas.

This background raises the question of the group’s interest in the current peace process (especially given the major concession it made in the second round: see section 2 below). There are two main explanations. First, it has long been central to GAM’s strategy to “internationalize” the conflict. The movement believes that an international presence limits TNI’s freedom of action and that international actors could eventually be drawn into a process that will end with an act of self-determination. This strategy failed with the collapse of talks in 2003, and GAM leaders were keen to take advantage of the tsunami to re-initiate international involvement. In this perspective, long-term strategizing could be behind the movement’s current acceptance of the August 2005 Memorandum of Understanding. GAM negotiators initially made it clear that their support for a solution based on “self-government” was conditional, in the sense that if the GOI “broke its promises”, then the movement would be able to revert to its original demand for

independence. It may be part of GAM thinking that GOI reluctance at the implementation stage could expose the GOI before both the international community and the local population, and hence allow GAM to gain enhanced legitimacy for an eventual return to a struggle for independence. Second, more immediate and tactical considerations are important. As noted above, GAM grew rapidly after 1999. More recently, especially after May 2003, the movement has suffered considerable setbacks with the killing, capture or surrender of some key commanders and large numbers of guerrillas (according to the Indonesian Armed Forces Chief, General Endriartono the security forces succeeded in reducing the size of GAM by 9593 so that only 1200-1500 combatants remained (*Kompas*, 10 June 2005): most observers would dispute the precise figures, but would agree the decline has been substantial). Battle fatigue has begun in GAM ranks, and the movement's leaders appear keen to give their followers some respite. There are unconfirmed reports that some GAM leaders have been tempted by offers of financial inducements (often framed in terms of 'compensation') made by GOI operatives.

Currently, the movement faces a delicate position. An agreement has been reached which implies permanent acceptance of a solution short of independence. This might eventually precipitate splits within GAM and accusations of "betrayal" against leaders (such splits and accusations were prominent after the resolution of the earlier Darul Islam revolt in the late 1950s, and were part of the background that led to the formation of GAM in 1976). A key challenge will be to ensure that all levels of GAM, including middle and low ranking commanders are drawn into the process and given economic incentives for peaceful reintegration into the community.

**Government of Indonesia (GOI).** The Indonesian government itself is not a unitary actor regarding the conflict. Instead, it is divided between military and civilian components, between different levels, and between executive and legislative branches. These components share, however, a commitment to Indonesia's continued territorial integrity.

**The central government.** Attitudes of key players in the central government are complex and need to be put into their immediate historical context. After the collapse of the Suharto regime in 1998, there was widespread recognition in the national elite that previous reliance on the "security approach" in Aceh had failed. This led to a period of radical experimentation under presidents B.J. Habibie (1998-99) and Abdurrahman Wahid (1999-2001). During this period national leaders apologized for human rights abuses, transferred military units out of the province, initiated peace negotiations and legislated for "special autonomy". After that brief window, the political situation in Jakarta stabilized, the military re-consolidated its position, the GAM insurgency spread and fears about "national disintegration" increased. These factors contributed to a general hardening of attitudes in the central government.

Two slightly different attitudes were evident. First, the dominant approach (approx 2001-2003) was that security operations should be combined with other elements in an 'integrated approach.' This approach was most identified with former Coordinating Minister of Security and Political Affairs (now president), Susilo Bambang Yudhoyono (SBY). "Security restoration" was to be combined with political steps (including dialogue), economic development, social rehabilitation, information and law enforcement. In practice, security operations were dominant.

Second, there were always also voices who favored a "no compromise" posture and believed that security operations could defeat the insurgency. The hard-line approach became dominant after the breakdown of the earlier peace process in May 2003. For a while it became rare for any figure in the national political elite to question military

operations or publicly promote dialogue. The broader public also appeared to favor a hard-line, resulting in a process of nationalist “out-bidding”. The persistence of hard-line attitudes was apparent after the return to dialogue in January 2005, with members of the DPR (People’s Representative Council, Indonesia’s national legislature) criticizing the government for ‘internationalizing’ the Aceh conflict. Interestingly, the most hostile legislators have included individuals known for liberal and democratic views on other matters (for example, Moh. Hikam of the DPR’s Komisi I is a graduate of the University of Hawai’i where he wrote a PhD on the civil society in Indonesia’s democratization).

The resumption of negotiations, however, made it clear that some key national political actors still recognized the limits of the security approach. The chief player in this group is the Vice President Jusuf Kalla, who is a wealthy businessman and also the chairperson of the largest political party, Golkar. Kalla operated with the tacit support of President SBY, although SBY was mostly passive on the issue and was prepared to allow Kalla to take the initiative. After the tsunami, Kalla was repeatedly interviewed in the Indonesian press, suggesting that dialogue has always been the “only” way to resolve conflict in Indonesian history. The chief negotiators in the Helsinki rounds, Hamid Awaluddin (Law and Human Rights Minister), Sofyan Djalil (Communication and Information Minister) and Farid Husain (Deputy Minister for People’s Welfare) are close associates of Kalla. Jusuf Kalla also played the chief role in convincing key leaders of the national political elite to compromise on the issue of local political parties (see below), convening two meetings in his home with leaders of the major national parties.

With the signing of the Memorandum of Understanding on August 15, it is obvious that the soft-liners on the Aceh conflict are currently in the ascendancy. However, it can almost be guaranteed that differing interpretations by the two sides on key items of the agreement (e.g. the timing and pace of GAM disarmament, the degree of and timetable for TNI troop reductions, the nature of human rights investigations, the precise character of local parties, etc) and of problems in implementation (armed clashes in the field, demonstrations or violent attacks by militias, criminal activity by armed bands claiming GAM affiliation etc) will provide opportunities for hard-liners to reassert themselves. The future viability and implementation of the peace accord, therefore, will largely be dependent on the internal balance of forces within the GOI.

**The military (TNI).** As noted in the preceding section, the military is deeply entwined in the Aceh conflict. There is a very widely shared view in the officer corps that security operations are the appropriate response to separatist insurgency. While most argue publicly in favor of an “integrated” approach, and affirm their loyalty to government policies, they have also historically been generally hostile to negotiations with GAM, believing that past peace processes allowed the movement to consolidate and internationalize the conflict. Ideological and political factors are also important: the TNI defines itself as the chief protector of the state’s territorial integrity, a claim that has become central to its sense of mission since the fall of the Suharto government. Economically, the military also benefits from Aceh operations, not only from the substantial special funds released by the government, but also from the opportunities Aceh provides for extra-budgetary fundraising, especially in the natural resource industries (it is usually estimated that the TNI attains only about 30% of its funds from budgetary sources, with the remainder raised from various legal, semi-legal and illegal business activities). Finally, senior officers share an interest in resisting a settlement that might include investigation of past human rights abuses.

The military leadership is now united in its formal recognition of civilian supremacy. Key military commanders at both the national and provincial levels have thus

endorsed the government's current policy and have said they will honour the peace agreement. However, while the military is not a unitary actor, the underlying views of senior officers are almost uniformly hard-line on the Aceh conflict. There is considerable potential for military elements to play the role of spoilers after a peace deal is reached (a role they played during the "humanitarian pause" of 2000 and the COHA in 2003). Indeed, while the Helsinki rounds were underway, many senior officers, in both Jakarta and Aceh, already made public comments implying unhappiness with the negotiations. For example, the new chief of the Aceh military command, Major General Supiadin AS in early June said that it "was impossible" for there to be a ceasefire with GAM and that the only solution for the conflict would be if GAM put down its weapons (*Serambi Indonesia*, June 3 2005), although he later also stated that the TNI would support any peace deal agreed by the government. Later, after the breakthrough in the talks in July, he stressed that troops in Aceh would still take "offensive" action if GAM made armed attacks or disrupted the community (*Analisa*, July 28, 2005), a week after it was reported that the president had order a stop to TNI offensive actions (*Jakarta Post*, July 21 2005). Perhaps more ominously, the national Armed Forces Commander, General Endriartono Sutarto said that the military would prepare 'contingencies' in case the peace agreement failed (*Kompas*, 29 July 2005). As well as by initiating armed clashes, it is possible that military elements might play a spoiler role by mobilizing militia proxies (in a pattern almost identical to that used to great destructive effect at the time of the East Timor referendum in 1999). There are already several dozen such organizations in different parts of Aceh, each with links to local military district commands, and collectively claiming tens of thousands of members. Such groups were used during the CoHA in 2003 to attack international monitors.

**Acehnese provincial government and local political elite.** Finally, the local political elite in Aceh (by which is meant especially executive office-holders at the provincial and district level, as well as members of legislatures at district, provincial and national levels) may eventually play an important role. As noted above, as a whole this group contributes to the conflict system because they lack crucial credibility in the eyes of the population, especially due to corruption and related governance problems, but also because their own political autonomy has in recent times been greatly circumscribed by the conflict, military dominance and central government control. They have also been in the position in recent years of being caught between the two sides in the conflict. During the years of GAM's dominance (approx 1999-2001) the organs of local government were effectively paralyzed, and many local politicians attempted to establish personal contacts with GAM. The dilemmas have been most acute for local-level civil servants, officials and village heads (*keuchik*) who are often intimidated by both sides. After the breakdown of CoHA, military authorities announced they were investigating alleged connections between GAM and local politicians. These investigations, along with some anti-corruption measures, were widely seen as intimidation to reinforce military influence. Since 2003, many local politicians and officials were enlisted by the military to support its hardline approach (for instance, by sponsoring militias).

In the past, however, some members of the Acehnese political elite have demonstrated a commitment and capacity to contribute to a peaceful resolution. For example, certain Acehnese members of the national legislature (DPR) played a key role in drafting the Special Autonomy law in 2000-2001, with some of them at the time hoping that the law would include mechanisms to integrate GAM peacefully into the political system (these mechanisms were later vetoed by the Ministry of Interior). This group also has the potential to play an important intermediary role between the Acehnese

population and the wider Indonesian political system. Certainly, in the immediate post-Suharto years, some Acehese politicians became effective at explaining Acehese grievances to the wider public. There are some signs (especially given the reappearance of a powerful group in the national government favoring negotiations) of Acehese politicians resuming their peacebuilding potential: for example, in early June, all the bupati (district heads) in Aceh sent a letter to the DPR criticizing its leaders' condemnation of the peace process (*Serambi Indonesia*, 6 June 2005). Some of the Acehese members of the DPR also made similar statements.

The prospect of direct elections of regional government heads brings the possibility of some rejuvenation of the local government. At present it is unclear whether or by what means former GAM members will be able to participate in these elections (though the August 15 2005 MoU states that "the people of Aceh will have the right to nominate candidates for the positions of all elected positions to contest the elections in April 2006 and thereafter", it does not explain how such candidates will be nominated). Even so, there is nevertheless the possibility of significant change at the provincial government level at least. In addition to the prospect of GAM participation, some already announced candidates for senior office have civil society backgrounds (for example, the PPP (United Development Party) gubernatorial nominee is Humam Hamid, a widely respected sociologist and former human rights advocate).

**Civil society.** There are a range of civil society organizations in Aceh that are independent of government, political parties and the insurgency and which, in varying degrees, seek to represent independent societal interests. At the risk of gross simplification, CSOs fall into two main categories. First, there is a large spectrum of Islamic organizations, ranging from relatively 'modern' and well institutionalized groups (like Muhammadiyah, which runs health and educational institutions) to the more traditional and relatively weakly institutionalized (notably the network of traditionalist *dayah* or Islamic boarding schools run by the traditionalist *ulama* or scholars). The Islamic organizations and especially the *ulama* have been targeted intensively for co-optation by the government and TNI, but still retain significant influence and respect. Second, there is a rich variety of non-governmental organizations (NGOs) active on community development, environmental, women's, human rights and related issues. Compared to other parts of the country, the development of the NGO scene in Aceh was retarded by the repressive political conditions in the province until the collapse of the Suharto regime in May 1998. Immediately afterwards, however, such organizations flourished in the relatively open conditions, and with the backing of Jakarta-based NGOs and international donors. NGOs became a prominent feature of the local political scene and were especially active in campaigning on human rights issues. (As an indication: the 'Forum LSM Aceh' (Aceh NGO Forum) has about 78 member organizations, while the Koalisi NGO HAM (Human Rights NGO Coalition) has 27). The 'golden age' of Acehese NGOs did not last for long however, and the space for independent civil society activity narrowed along with the escalation of the violence from around late 2000. Conditions deteriorated further with the military emergency in May 2003. Military authorities accused some local NGOs of harbouring sympathies for GAM and some of the most outspoken leaders fled to Jakarta or elsewhere. Since the December 2004 tsunami, there has been significant reinvigoration of the NGO scene, although the vast bulk of work is now oriented to post-tsunami relief, rehabilitation and reconstruction.

**The local population.** The local population, especially in the rural areas, has essentially been a battleground through which the contest between GAM and the Indonesian state

has been played out. GAM has tried to grow by rooting itself in the rural population, from which it gains most of its recruits, information, logistical support and funds. Although there is obviously a degree of popular support for the movement in large parts of Aceh, in some areas it has used coercion to enforce its expansion (Schulze 2004). There have been many recorded instances of GAM assassination of individuals it regards as ‘traitors’, intimidation of local communities, extortion backed up by threats of violence, and (especially for wealthier individuals such as entrepreneurs and *keuchik*), kidnapping for ransom. The TNI, on the other hand, has had as a chief strategic goal the ‘separation of GAM from the local community’ and uses well-documented intimidatory and brutal methods to achieve this goal. As a result, ordinary villagers frequently claim that they feel “trapped” between two sides in the conflict. There is an almost complete lack of institutional avenues for them to express their views, interests and grievances. Grassroots leaders, such as *keuchik*, often find themselves under unbearable contradictory pressures (e.g. pressures from GAM guerrillas to furnish food and shelter; pressure from the TNI to provide information about GAM and its sympathizers).

### **1.3 Key challenges**

This section emphasizes three key short to medium term challenges that flow from the current conflict situation in Aceh. Challenges more specifically related to ongoing peace efforts are summarized in the next section.

1) Dominance over Aceh policy by the military establishment. Military dominance has arguably been the chief factor sustaining conflict in Aceh. The TNI officer corps (despite acknowledgement of civilian supremacy in the political field) has been committed to military solutions, confident in its own abilities, and has independent sources of funding. Its entrenchment in the province via the ‘territorial system’, plus its development in recent year of sophisticated network of militia proxies, means it has the potential to play a crucial spoiler role in the future. Military resistance has also blocked other measures that have been proposed to alleviate grievances, notably human rights investigations. The problem is especially difficult to address because the chief blockage is not at the local level, but rather concerns matters of high politics in the national political system. Most civilian politicians are simply unwilling to challenge the military on sensitive issues of security policy like Aceh. In sum, long-term peacebuilding in Aceh will ultimately require substantial progress in security sector reform at the national level.

2) Lack of communication channels and absence of broad constituency for peace on the GOI side. An obvious “communication gap” exists between most national policy makers and actors on the ground in Aceh. Clearly, there *are* communication channels between national politicians and actors in Aceh’s political and civil society. But in recent years, most Acehnese actors (except for those in a narrow band of human rights organisations) have been reluctant to challenge the official hardline consensus. Key national policy makers and opinion leaders are thus largely dependent on official government and military sources for knowledge of Acehnese affairs. Unlike in the immediate post-Suharto period, the military’s interpretation of events has had a near-monopoly in the national media. Most civilian politicians who opposed negotiations in early 2005 were not familiar with the conflict conditions on the ground. This factor constitutes an important short to medium term challenge to the peace process. Although there is now an important group of officials in the GOI willing to negotiate with GAM, and willing to make compromises for peace, they have done so in a way that has been careful

not to challenge deeply held beliefs about Indonesia's "unitary state". For instance, until the fifth round of talks in Helsinki, few national politicians made detailed explanations to the Indonesian public of why it might be necessary to offer concessions as part of the negotiations, including on the crucial issue of local political parties. When the concession on political parties was eventually made, little attempt was made to explain its significance or ramifications. The result is that the consensus in favor of peace is arguably fragile and could readily shift back toward a hard posture when the inevitable problems arise in implementation.

3. Lack of capacity and legitimacy of local government institutions. The Berghof Foundation has noted in relation to its peacebuilding work elsewhere "the high importance of institutions as mediators for long-term structural change" (Berghof Foundation 2005a, 3). In Aceh, local government institutions will be required to carry the heaviest peacebuilding burden. They are the chief potential mediators between aggrieved local communities and the national government and other external actors, and their role will be crucial in future 'self-government' arrangements. Yet, as noted in the preceding analysis, local government institutions currently lack crucial capacities, they are badly afflicted by corruption and other governance problems, and they lack legitimacy. The post-tsunami climate has further complicated the situation: the BRR (Badan Rehabilitasi dan Rekonstruksi, Rehabilitation and Reconstruction Agency), the body appointed by the national government to oversee post-tsunami reconstruction places great emphasis on probity and transparency and aims to be a model of good governance. This, however, is a *national* institution (the head of which, the widely respected former minister Kuntoro Mangkusubroto, is not Acehnese), while historically one common source of grievance among the Acehnese has precisely been that distant actors in Jakarta have had too much influence over their fate. The future challenge will be to develop local institutions that encourage a sense of ownership among local communities, yet which are also efficient, effective and transparent in their operations.

## 2. Peacebuilding: core political challenges and gaps

The following discussion is divided into four sections. The first two summarize efforts to date to achieve a negotiated settlement between the chief parties to the conflict (GAM and GOI). The third summarizes other peace-building activities, or activities with peace-building dimensions. The fourth summarizes the challenges and gaps in these various efforts.

### *2.1 Summary of the macro-political peace process*

The macro-political peace process has recently passed through a major turning point. On 12 July the fifth round of negotiations facilitated by Finnish ex-President Martti Ahtisaari's Crisis Management Initiative (CMI) took place, and produced agreement on a Memorandum of Understanding that embodied the broad outlines of a peace agreement based on expanded autonomous power for the government of Aceh. The MoU was signed by the two parties on August 15.

This peace process is the second in recent times. An earlier process began in late 1999 under the aegis of the Swiss-based Henry Dunant Centre (HDC). This process produced, first, a "humanitarian pause" in mid-2000 that limped on into early 2001 and later, a more substantial 'Cessation of Hostilities Agreement' (CoHA) in December 2002. In both these cases, the basic approach was to achieve a cessation of hostilities first and to move on to substantive political issues later. The CoHA envisaged a ceasefire, the establishment of 'peace zones', the disarmament of GAM and relocation of Indonesian security forces. These measures were to be followed by an 'all inclusive dialogue' involving broader sections of Acehnese society was intended to generate mechanisms for a lasting peace.

Both sides had fundamentally different views of the CoHA process. GOI leaders believed that any settlement produced would have to be "within the framework of the unitary state" and based on the Special Autonomy (NAD) law. Many in GAM viewed the CoHA process as a means to internationalize the conflict and eventually achieve independence. Not surprisingly, therefore, both sides lacked basic trust in each other's intentions. Virtually no progress was achieved in terms of repositioning of GOI troops or disarmament of GAM. On the contrary, armed clashes began to recur soon after the agreement was in place. In particular, the TNI viewed the CoHA as providing GAM with an opportunity to consolidate itself militarily, collect funds and recruit new members. The process thus proved vulnerable to action by spoilers. A series of military-organized demonstrations forced the evacuation of monitors from the districts. Eventually, the process broke down entirely and GOI declared the military emergency (for analyses of the rise and fall of this process, see Aspinall and Crouch 2003 and Huber 2004).

The CMI-facilitated initiative has been in one crucial respect fundamentally different from that organized by the HDC. The HDC designed an open-ended process under which it was hoped the parties would identify common interests by concentrating first on ceasing hostilities. The CMI process reversed the order and relied on the formula "nothing is agreed until everything is agreed." In this approach, at least the broad outlines of a political settlement had to be agreed upon before the agreement could be implemented. Initially, it looked as if the talks were facing difficulty, with the GOI side (as under the HDC-led process) insisting that any agreement would have to be based on the existing NAD Law, and little prospect of GAM agreeing to that. At the second round of

talks in February, GAM announced it would accept a solution based on “self government”. This was a shift of historic proportions; it was the first time that GAM had indicated it was prepared to accept anything less than independence or a referendum. As such, it was widely viewed as a significant breakthrough.

Some analyses, especially those in the international press, suggest that the tsunami was the key factor that drove both sides back to the negotiating table. In fact, the tsunami is better understood as a ‘circuit breaker’ that allowed them to resume talks without loss of face. The talks instead flow from the changing balance of military forces on the ground since the resumption of full hostilities in May 2003, as well as from continued interest by elements on both sides in options for a peaceful settlement.

Jusuf Kalla who, as explained in the preceding section, has been the leading force behind the GOI’s involvement in the negotiations initiated contacts with local GAM commanders early in 2004 and the CMI talks apparently flow out of those early contacts. It appears that his approach was based on an assessment that the weakened position of GAM on the ground, combined with offers of economic inducements (such as land or plantations) to GAM commanders would be an effective means of bringing an end to the conflict on terms favourable to the GOI (see reports in *Tempo*, 31 Jan - 6 February 2005). Reflecting this basic outlook, when the CMI-facilitated talks began, the position of the GOI appeared to be intransigent and not amenable to compromise.

On the GAM side, as explained in the preceding section, there were both strategic and tactical considerations that explain renewed interest in peace talks. This time, GAM has been negotiating from a position of relative disadvantage, caused especially by its reduced military strength, as well as from the knowledge that the GOI could, as in 2003, cancel negotiations and resume military operations. As a result, it appears that key major concessions made early on came from the GAM side, notably acceptance of ‘self government’.

However, GAM clearly expected significant concessions in turn. Some of the difficult issues included security guarantees and demands for withdrawal of TNI troops and prosecutions for past TNI human rights abuses. Most problematic were mechanisms for incorporating GAM into the political system. It was widely expected that in exchange for abandoning the independence demand, GAM would require recognition of the right to form local political parties (currently, national legislation requires that parties that wish to run in elections must have functioning branches in 50% of provinces and 50% of the districts in those provinces). It was widely believed that GAM would wish to transform itself into a party and run for political office in Aceh as part of a peace deal; without such an option, agreeing to peace would have been tantamount to consigning itself to political oblivion.

The timing of local elections was thus also a concern: legislative elections were held in April 2004 and direct elections of government heads were scheduled for October 2005. In the normal electoral cycle, repeat elections would not be held for another five years. GAM wanted them to be held soon after an agreement was reached, to allow for the population to vote under the new ‘self government’ arrangements.

GOI negotiators repeatedly publicly ruled out local parties (even on the day the agreement was to be finalised, President Yudhoyono himself said that the government would not compromise on this issue). They generally justified this in normative terms: that the peace deal had to be based on the existing NAD law, that Indonesia’s constitution did not allow such an arrangement (presumably because it established Indonesia as a unitary state) etc. Underlying the refusal appeared to be two chief factors. First was a basic unwillingness to countenance political organization along ethnic, regional or other ‘primordial’ lines anywhere in the country. Many national politicians publicly expressed

concern that allowing local parties in Aceh would set in train a 'domino effect' that would spread to other provinces. Second was a lack of confidence about the outcome in Aceh elections involving local parties. National leaders feared that by transforming itself into a political party, GAM might simply be pursuing the independence goal by other means. The nightmare scenario would be an elected GAM-dominated government declaring Aceh's independence. In the lead-up to the final July round of negotiations, therefore, government leaders offered various compromise solutions, such as a promise that former GAM leaders would be nominated by existing national parties for political office.

## ***2.2 Summary of the MoU***

The MoU eventually signed by the two parties on August 16 appears to concede a good deal to the GAM position, though some of its wording is ambiguous. The key provisions concerning political arrangements will also have to be approved by the Indonesian parliament (by 31 March 2006 for general political provisions, in the form of a new "Law on the Governing of Aceh"; within 12-18 months concerning local political parties, probably in the form of an amendment to the NAD law).

On the key matter of "political participation," the agreement reaches a clumsy compromise. The government will first assist the establishment of "Aceh-based political parties that meet national criteria" and allow candidates nominated by the population (but nominated precisely how, is not spelled out) to run for executive positions in local election in April 2006 (items 1.2.1 and 1.2.2). The government will also, within 18 months, "create...the political and legal conditions for the establishment of local political parties in Aceh in consultation with the parliament" (the agreement does not explicitly spell out, however, whether those parties will be able to register to participate in national or local elections, which is the key issue). Hence, it appears likely that former GAM members will be able to nominate and run for executive officer (including the position of governor) in the April 2005 election (this would seem to be an explanation for another provision in the agreement which confers on the head of the Aceh administration veto power on all decisions made by the Aceh legislature before legislative elections involving local parties in 2009).

The MoU also sets out a variety of broad principles for the government of Aceh and relations between it and the national government. These elements will need to be set out in the new Law. Key provisions include a broad grant of powers to Aceh (only foreign affairs, external defence and several other key matters are retained by the national government) and an attempt to limit the scope of the national legislature to pass laws affecting Aceh (1.1.2.c) Other matters include symbolic provisions (e.g. Aceh will be able to retain its own symbols (1.1.5) and will have a symbolic leader, the *Wali Nanggroe* (State Guardian) (1.1.7)).

Other general items of the agreement relate to economic powers of the territory, human rights and rule of law. There are also rather detailed provisions for an amnesty for former GAM combatants and their reintegration into the society (including by the provision of suitable farming land or employment (3.2.5)). The MoU also requires that GAM demobilise its 3000 troops and decommission all its arms (with a figure of 840 given in the agreement) by 31 December 2004. By the same date, GOI will reduce military and police troop numbers in the territory. Finally, the agreement also provides for an Aceh Monitoring Mission (item 5) established by European Union and ASEAN contributing countries, with a broad array of tasks including monitoring implementation of the agreement and investigating and ruling on breaches.

This agreement is clearly a great advance on previous agreements in 2000 and 2002 because it provides not merely for a ceasefire, demilitarisation and a framework for future negotiations (like those earlier agreements), but also the broad outlines of a political settlement. Nevertheless, it is to be expected that implementation problems will again be severe. Above all, most of the key provisions will need to be incorporated into legislation and passed by the national legislature before they can take effect. It can be expected there will be attempts to water down some of the most far-ranging elements of the agreement during this process. Some elements of the military and its militia proxies may wish to spoil the agreement, while there is a possibility that some GAM elements will reject their leaders' compromise on the independence issue. Problems of security guarantees, disarmament and monitoring will again be severe. Major differences of interpretation are to be expected on virtually every element of the agreement.

While the MoU has thus rightly been hailed as a breakthrough, we can expect that it is likely that Aceh will follow the broad pattern of other conflicts (such as in Sri Lanka or the Southern Philippines), where breakthrough deals have been followed by periods of backsliding, deadlock, conflicts over interpretation, political fracturing and realignments and even partial resummptions of armed conflict.

### ***2.3 Other peace-building or relevant activities (Tracks 2 and 3)***

Over the past several years, various efforts have been made to promote broader peace-building activities. There has been a limited range of "track II" type activities, especially those promoting expanded civil society involvement in the peace process. This type of activity was essentially frozen after May 2003, mostly because of the closure of political space. A wide variety of broader structural interventions (track 3) promoting bottom-up peacebuilding work in local communities has also occurred. Few of these activities, however, have been coordinated with, or fed into, the high level process.

Track 2 activities. As noted above, one of the criticisms made of the formal peace process that took place in 2000-2003 was that it excluded wide representation of societal interests. By concentrating narrowly on the interests of GAM and GOI in a "conflict settlement" paradigm, many critics argued, the process neglected victims' interests and the structural sources of conflict. At various times, international donors encouraged wider civil society participation in the peace talks, by facilitating seminars, conferences and networks of civil society actors to formulate their own ideas and interventions.

A product of one such meeting (organized at a Washington university) was the formation of an Acehnese "Civil Society Task Force" that was supposed to represent and advocate for the interests of civil society groups and the wider community in the peace process. The task force involved core leaders drawn from prominent NGOs, as well as individuals like the respected Muhammadiyah leader Imam Syuja' and the intellectual Isa Sulaiman (now deceased). The fate of the task force illustrates the great challenges confronting broader involvement in the Aceh peace process. The body was formed at a time when the authorities were already restricting independent civil society activity in Aceh. Police broke up a seminar the task force organized to devise a civil society contribution to the peace process in May 2002: *Kompas*, May 5 2002). As a result, this initiative never really gained sufficient momentum to have much impact. Most civil society groups avoided associating themselves with such a 'sensitive' issue. As a result the Task Force never really even got off the ground as a functioning network.

In the period since that time, there have been sporadic attempts to facilitate meetings by civil society groups on the peace process (e.g. in September 2004 the Forum Asia network in Bangkok hosted a meeting involving civil society activists from Aceh and Jakarta, with the aim being to learn from peace-building experiences in Sri Lanka and Northern Ireland). The Olaf Palme Institute has also facilitated meetings where civil society representatives have met with GAM negotiators in the lead-up to recent high level negotiations.

Track 3: Process and structure-oriented work. A large array of ‘track 3’ style work has been carried out in Aceh, if by this we mean the full range of activities that are intended to address structural causes of discontent and violence. Indeed, it might be said that an explosion of this kind of activity occurred in Aceh immediately after the collapse of the Suharto regime. International donors provided support for all manner of activities designed to promote human rights, empower members of local communities or victims of human rights organizations, give a voice to Acehnese women, and so on. However, as noted above, the political space available for such work declined sharply after May 2003. For example, many of the existing networks of human rights groups essentially went into suspended animation, as it became difficult for their staff to travel freely through the province or to operate openly. Some of the most outspoken activists fled Aceh.

Rather than attempting to summarize the full range of civil society activities, it is perhaps more appropriate to mention two examples of structural activities:

a) NGO activism on corruption and governance. As noted in the conflict analysis section of this report, one important structural factor underpinning violence is the pervasiveness of corruption in local political institutions in Aceh. During the period of the military emergency, the attention of Acehnese NGOs to a large extent shifted away from human rights (which had been the theme par excellence in 1999-2003) and toward campaigning on corruption, especially in the civilian provincial government. NGOs like SORAK (Solidaritas Gerakan Anti Korupsi, Anti-Corruption Solidarity Movement), SAMAK (Solidaritas Masyarakat Anti Korupsi, Community Anti-Corruption Solidarity), Pokja Aceh Damai Tanpa Korupsi (Peaceful Aceh Without Corruption Working Group) and Walhi (Indonesian Environmental Network) organized very well-publicised and effective public campaigns exposing instances of corruption on the part of local officials. It should be stressed, however, that the focus on corruption and governance was in large part an adjustment to political circumstances: it had become too dangerous to openly confront the military on human rights (which most civil society activists still admitted privately was the key issue). Moreover, the military authorities themselves provided a political space to attack civilian politicians in order to enhance their own legitimacy in the territory.

b) Peacebuilding media work. Another example is the website and magazine *AcehKita* (“Our Aceh”). This initiative, sponsored by Cetro (Centre for Electoral Reform in Jakarta), was aimed at providing an alternative media at a time when the space for accurate and neutral reporting on the conflict in Aceh became very constricted. Part of its approach was to depict the conflict from the victims’ perspective, and to report on abuses conducted by both sides. Many of the journalists who contributed to it worked for mainstream publications; they sent *AcehKita* reports that they felt their own publications would not publish. As such, *AcehKita* became arguably the only truly impartial and reliable source of information about the Aceh conflict that emphasised its human costs. USAID has provided funding for this initiative.

There has been a partial re-opening of the political space for local civil society since the December 26 2004 tsunami and subsequent international relief effort. A host of new civil society initiatives have been made. However, the bulk of the renewed civil society

activity has concentrated on tsunami-related work. Aceh's already rather weak civil society sector suddenly became over-burdened with the task of organizing or contributing to relief and reconstruction. Many of the most talented individuals were recruited by international relief agencies, and many of the better-established organizations quickly became adopted as partners by INGOs, switching their focus away from conflict-related activity in the process.

However, some of this civil society tsunami-related work still is highly relevant to peacebuilding because it promotes societal input and a rights-based approach to reconstruction or involves monitoring of expenditure of relief and reconstruction funds to prevent corrupt misuse. For instance, one ad hoc body is the "Aceh Recovery Forum", a body that involved some prominent NGO leaders and intellectuals and was engaged in high-level lobbying in Jakarta. Other initiatives have included a plan to provide legal services to individuals whose land rights have been abrogated (LBH). Some of the most important such initiatives involve cooperation between international and local groups (for instance, a 'Protection and Advocacy Working Group' has been established to promote a rights-based approach to reconstruction. Its members include local NGOs, such as the Banda Aceh LBH (Legal Aid Institute) and the People's Crisis Centre (PCC) as well as some international NGOs like Oxfam International, Norwegian Refugee Council etc).

In the context of the aftermath of the peace agreement of August 15 we can expect a large scale re-orientation of much civil society activity back toward their traditional areas of human rights advocacy and related work.

## ***2.4 Gaps and challenges in peace-building activities***

Peacebuilding: an open field. The first point to make under this heading is the obvious one: since May 2003, apart from the high level CMI-facilitated process, there has been *very little* in the way of deliberately designed and coordinated peace-building work on the Aceh conflict. The resumption of military operations in May 2003, the closure of the province to international agencies (until the tsunami), and the tightening of political space for local civil society all conspired to greatly constrict the space available for such work. This is not to say that there has been no "peacebuilding-related" activity: on the contrary, as noted above, civil society interventions with implications for peacebuilding have been taking place. But they have rarely been *presented* as relevant to peacebuilding because of the hostile political climate. There has been minimal track 2 style interventions since 2003. The field is wide open. Beyond this general observation, three major gaps can be identified in the total picture of peacebuilding activities since late 1999, and one major challenge for international agencies can be identified.

Gap #1: Limited input by civil society and grassroots communities into formal peace processes. One criticism that has repeatedly been leveled at both the high-level peace process organized by HDC and the more recent rounds organized by CMI, is that participants have been limited to GOI and GAM, who represent only the combatants. While the logic of this approach is obvious and probably unavoidable, the costs have also been considerable. Negotiations focused on the issues that divided the two sides, rather than on the needs and aspirations of ordinary community members, including victims of the conflict. In the long term, the danger is that the "solution" to the conflict will not address deeper structural sources of conflict in Aceh, including poverty, inequality and human rights abuses. This problem may become particularly acute if, as seems possible

under the terms of the MoU, an eventual settlement involves economic inducements and political co-optation for GAM leaders. In such a case, all or part of the GAM leadership could be incorporated into the very political system that has historically generated discontent in Aceh

In recent years, it has mostly been the relatively well-organized sectors of Acehnese civil society (especially human rights, women's, development etc NGOs) that have criticized the process on this ground. But at least such groups have historically had *some* input. An even more obvious gap is the absence of peacebuilding activities at the grassroots level. Some of the local NGOs maintain rudimentary grassroots linkages, but the repressive political climate has closed off opportunities for systematic network-building, capacity building or even articulation of interests at the grassroots level, among communities affected by the conflict. Grassroots connections and networks are being rebuilt in the context of tsunami relief, however, and could provide a springboard for more systematic efforts to articulate the interests and perspectives of local communities in the context of a wider peace process.

Gap #2: Neglect of the hostile policy community in Jakarta. Most peacebuilding work conducted in Aceh in recent years has been in the form of civil society interventions: civil society capacity building, support for investigative journalism, governance campaigns, etc. The underlying assumption is that peacebuilding will be facilitated if local organizations are empowered and local grievances addressed.

The problem in Aceh, of course, is sources of conflict mostly do not lie *inside* local communities. Instead, the conflict pits local communities (or rather, an insurgency that draws support from local communities) against the state. Most scholarly analyses of the conflict (e.g. Kell 1995, Robinson 1998) identify the key sources of conflict in Aceh as lying in the policies and behaviors of the Indonesian state and its institutions, especially the army. Moreover, as this latest round of high-level negotiations has demonstrated, there is an insufficiently broad constituency for peace in key institutions of Indonesia's new democracy, such as the national legislature. The peace process is constantly subject to the threat of veto by hardliners in Jakarta, many of whom do not have a good understanding of the issues at stake. This threat of veto will be especially crucial in coming months, because it will be up to the national legislature to pass into law the key provisions that are contained in the MoU.

There have been few attempts to influence or reach out to key policy-making elites and to broaden the constituency for peace in the GOI and other key institutions (the media, academia etc) at the national level. When seminars and conferences are held to canvas peacebuilding strategies (e.g. the Forum Asia event in Bangkok in 2004) they usually involve only Acehnese participants and members of a limited number of sympathetic Jakarta-based NGOs.

It is not being suggested here that civil society and community empowerment are not crucial for long-term resolution to the Aceh conflict. Clearly, they *are* crucial, but they are also not enough on their own. Effort is also needed to break down the belligerent mindset that grows in the climate of nationalist out-bidding in Jakarta.

Gap #3. Local governance and peace-building. In the past, much of the attention in peacebuilding support has been focused on the macro-negotiations process and on support for independent civil society organizations. While both areas of work are important, they have tended to neglect the crucial dimension of local governance. Yet, as noted above, governance problems at the local level are central to the conflict system in Aceh, because they tend to undermine the legitimacy of the very institutions which are

needed to mediate between local communities and the national government, and because they impede programs intended to alleviate structural causes of the conflict.

Conceptually, too, they are important because of the role of institutions as mediators of long term structural change. While some assistance has been provided by international agencies to local government in the context of post-tsunami rehabilitation and reconstruction (for example, JICA has provided assistance in the training of *camat*, or sub-district heads), there has been virtually no concerted work to increase the capacity of the local governance system in the context of peace-building work. In the context of the MoU, key challenges in this area will include how to broaden political participation and reduce corruption without losing efficiency with too many voices participating in an un-focused way. Especially difficult challenges will involve how to manage the transformation of GAM from a non-state armed group into a political party (given its members' lack of capacity and skills, as well as uncertainties in the process)'.

The challenge for the international community. Finally, note should be made of a particular challenge that will confront international organizations such as the Berghof Foundation as they seek to engage in Aceh-related peacebuilding work. This is the considerable suspicion and hostility in elements of the GOI (especially in the DPR and TNI) to suspected foreign "intervention" in separatist conflicts. There is a widely held belief that the international community, especially international NGOs, is engaged in a conspiracy with separatists to break Indonesia apart. Preventing "internationalization" remains an article of faith in sections of the national political elite. This mindset has and will continue to constrain the ability of international actors to engage in peacebuilding work. From 2000, only a limited foreign presence was allowed in in Aceh and most of this ended after May 2003. The international presence expanded greatly after the tsunami, but international agencies still face considerable constraints in their ability to engage in peacebuilding work. For instance, international agencies have reportedly not been granted permission to provide assistance to conflict IDPs and it remains difficult to access many of the communities where the conflict has been most severe (such as in Central Aceh where both pro-government militias and GAM guerrillas have a significant presence). The implementation of the latest peace agreement between GAM and the GOI will open the space for international involvement (most obviously through the Aceh Monitoring Mission, AMM), but international organizations will continued to be suspected by elements of Indonesia's political spectrum.

The challenge the international community faces in Aceh, however, it must be emphasized is part of the broader challenge of international support for Indonesian democratization and reform. International donors with an interest in supporting democratic and governance reform, as well as security sector reform (SSR) in Indonesia generally, necessarily have an interest in supporting the peace process in Aceh. In part, this is because the conflict in Aceh exemplifies in sharp form many of the broader problems that have beset Indonesia's democratic transition (especially governance and transparency problems and problems of civil-military relations) and has even played a role in impeding broader reform in some sectors (most obviously, SSR). Support for peacebuilding activities in Aceh is thus best seen as part of a much wider agenda of SSR and political reform in Indonesia as a whole.

### 3. Options for systemic conflict transformation

The starting point for any consideration of concrete options for systemic peacebuilding work must be a consideration of the immediate future prospects of the current formal process. As noted previously, these negotiations have passed through a crucial turning point, with the signing of the Memorandum of Understanding between GAM and the GOI on August 15. While the possibility of deadlock and breakdown in the implementation phases of the agreement cannot be ruled out, it now appears that for the short to medium term at least, the opportunities for systemic conflict transformation initiatives will be greatly expanded. There will be scope for activity related to the formal process itself (e.g. negotiations to flesh out items of agreement, designing and construction of new institutions, economic programs to reintegrate guerillas and militias etc), but also political space and opportunities for more grass-roots and track 2 activities. In particular, there will be a wider space for the articulation of interests by local communities affected by conflict.

In the event of a breakdown, then it is likely that the GOI and, especially, the security forces will emphasize a return to the security approach. There will be fewer options for directly engaging with the government. Civil society interventions in Aceh actively promoting 'peacebuilding' will be difficult. Even in this later, more pessimistic scenario, however, much will depend on the circumstances of the break down. There is clearly a group in the GOI (around Jusuf Kalla) which is interested in exploring options for a peaceful resolution, and it will be possible to continue engaging with them. Moreover, the context of the post-tsunami situation on the ground will provide opportunities for peacebuilding work, even if it primarily framed and integrated within the reconstruction and rehabilitation process.

The following discussion of options for systemic peacebuilding work by the Berghof Foundation factors in not only the current positive climate but also the underlying continuing unpredictability. It begins with modest and realistic proposals, factoring in options for scaling up in the case of continuing progress in the macro-level peace process, as well as for adjustments in the case of deadlock or breakdown.

#### *Option # 1: A Dialogue Workshop Series*

Overview: This option envisages a model similar to the Georgian-Abkhazian Dialogue Workshops run by the Berghof Center (Berghof Foundation 2005b, 9). In the envisaged project for Aceh, a series of dialogue workshops would be held involving participants from the Jakarta policy-making elite as well as key leading Acehnese individuals. The aim would not only be to establish contact and familiarity between participants, but also to creatively explore peacebuilding scenarios and models, drawing on (as with Georgian-Abkhazian workshops) experiences of peace processes in other parts of the world. A particular focus would be to explore alternative models and components of autonomy or self-government arrangements, as well as issues relating to post-tsunami rehabilitation and governance and their relationship to peacebuilding. If the current positive climate continues and there is substantial progress in implementing the August 2005 agreement on the ground, then the workshops could readily be linked to the macro-political process and feed into formal processes for redesigning Aceh's political institutions. In the case of deadlock in the macro-political peace process, the dialogue series would remain low-key and exploratory.

**Rationale:** As noted in the preceding analysis one key gap in peacebuilding activities has been neglect of key policy-making elites in Jakarta. DPR members and senior government officials have frequently threatened the process, without demonstrating much understanding of the basic issues at stake. Progress in the recent round was frequently endangered by the atmosphere of nationalist out-bidding in the national legislature, and by reflexive hostility on the part of some national elites to concepts like local political parties. Yet this group will be key to putting in place a legislative framework for the implementation of the MoU. Another key gap has been the poor capacity and legitimacy of local government generally, and its poor capacity to deal with sensitive conflict issues in particular. The recent breakthrough in the macro peace process also highlights the great training needs of local government officials and bureaucrats, as well as members of local civil society with advisory influence, such as key NGO leaders, academics and *ulama* on matters like conflict-sensitive strategic planning, negotiation skills, designing problem-solving processes and methodologies for developing power-sharing in practice.

One important goal of the workshops would thus be to break down the isolation of national policy making elites from key Acehnese actors, allowing for a frank exchange of views in a free atmosphere, and introducing them to alternative models and options from other peace processes and autonomy arrangements. A second goal would be to increase the capacity of local government leaders and civil society actors with influence at the local level to grapple with key issues to do with conflict resolution, especially about how to redesign and enhance the capacities of local government institutions to deal with the challenges of implementing the new peace agreement on the ground.

The process could also feed into the Track 1 high-level peace process, brainstorming models for dealing with key issues, as well as draw on Track 3 work (especially via the participation by prominent Acehnese civil society figures).

Obviously, the variety of topics that might be addressed by such a series would need to be adjusted in accordance with the changing political context, the identity of participants and the extent of progress in the macro progress. Some possibilities:

- Political / Constitutional structures in different autonomy / self government models (including the place of local parties in such systems).
- Designing power-sharing mechanisms for the integration of GAM through local parliaments and bureaucracy
- Comparative discussions of other peace processes (e.g. Mindanao, Sri Lanka, Northern Ireland etc).
- Security and law enforcement issues (disarmament, demobilization of combatants, repositioning and reconceptualization of TNI role, role of an Acehnese police force etc).
- Human rights and reconciliation (how have other peace processes dealt with the legacy of past human rights abuses? What are the options for reconciliation and restorative justice?).
- Post-tsunami rehabilitation and governance: e.g. land rights after the tsunami, effective and fair distribution of natural resource wealth through local governance, participation of GAM in multi-donor trust fund etc.

Such an intervention could target at least the following groups:

- Key individuals from the DPR, especially members of the Komisi I who have been publicly hostile to the Aceh peace process, but who are known to be sympathetic to rule of law and democratization in other contexts. Individuals to be targeted might include Abdillah Toha, Moh. Hikam and Theo Sambuaga (the head of Komisi I). It may also be possible to identify other national policy making elites (e.g. senior government advisors).
- Key members of Aceh's political elite, including officials in the provincial government, local parliamentarians, and Acehnese DPR members. Their participation would be especially important given the especial burden that this paper has repeatedly emphasized will need to be borne by local government institutions in any future peace process in Aceh.
- Prominent members of Aceh's civil society, such as intellectuals / civil society leaders (e.g. Otto Syamsuddin Ishak), and Muslim scholars and community leaders (e.g. Imam Syuja', Moeslim Ibrahim). The key would be to select individuals who a) have a reputation as independent thinkers on the Aceh conflict, but b) would not be intimidated by the presence of the prominent Jakarta-based politicians (a frequent problem).
- Appropriate resource persons, intellectuals and others from the broader Indonesian civil society / research institute milieu.
- Leaders of GAM and prominent figures close to the organization (their participation would be dependent on the continuing health of the implementation of the new agreement).

Scenarios dependent on progress in the macro-process:

a) In the most likely case of continuing progress in the formal process, then options could be explored for linking the dialogue workshops to that process. The recent Memorandum of Understanding touches only on basic points, leaving many potential pitfalls and areas for extended negotiation. To give the example of political participation, the practicalities of designing a new system of executive and legislative government, as well as transforming GAM from an armed into a political movement, will involve complex practical and institutional design issues. Issues of reconciliation, reintegration of former combatants, human rights, etc, will all be equally complex and suitable for detailed workshops of the sort envisaged under this proposal. Obviously, in this case, close coordination with the CMI, GOI and other key stakeholders will be necessary.

b) If the formal process reaches deadlock or breaks down, a series of dialogue workshops like this could still be useful for establishing contacts, if not between the two sides, at least between key policy-making elites in Jakarta and representatives of Acehnese civil society and Acehnese politicians.

***Option #2: Peacebuilding and tsunami reconstruction***

This option envisages a more comprehensive, and multi-track intervention. The proposal here is more sketchy because it would require more substantial assessment on the ground to elaborate on the details. Briefly, it starts from the recognition that local civil society and, especially, local communities have had limited ability to have their interests represented or voices heard in the macro-peace process and that structural sources of conflict (e.g. unaddressed human rights abuses, structural poverty etc) are likely to persist

even after the agreement reached between GAM and GOI begins to be implemented. The proposal thus envisages a) supporting local civil society organizations with links to grassroots communities, b) identifying key capacity-building and networking needs in these CSOs and communities and c) linking this low-level, track 3 work to other forms and levels of peacebuilding. Such activity would need to cross the boundaries between tsunami reconstruction work and a more overt peacebuilding orientation.

Key steps envisaged are the following:

- a) Identification of local civil society organizations in Aceh that i) have an interest in rights-based peacebuilding activities and b) have access to local communities. The second criteria is important: some CSOs in Aceh are elitist, urban-based and isolated from the communities where conflict has been most severe. Some, however, have histories of deep involvement in villages and other local communities afflicted by the conflict. They include groups like the PCC (People's Crisis Centre, which had a history of working with conflict IDPs), LBH (Lembaga Bantuan Hukum, Legal Aid Institute – rule of law and human rights issues), Flower Aceh (women), Kontras (Commission for the Disappeared and Victims of Violence). Some of these groups have grassroots networks dating back to the height of the conflict (e.g. Kontras has (had? It may have lost much of this in the tsunami) data on numerous unresolved disappearances and extra-judicial killings). Other CSOs have been working with local communities to assist them to identify their own needs and rights in the context of tsunami reconstruction (for example, the Urban Poor Consortium, a Jakarta-based NGO was among the first to assist local communities to rebuild despite official prohibitions on rebuilding close to the sea). In short, the key would be to identify key CSOs (perhaps 5-10 in total) which have access to grassroots communities, especially those which are a) mobilizing over tsunami reconstruction and b) that have historically identified but unaddressed grievances during the pre-tsunami period. This would require a careful assessment on the ground.
- b) Identification of the capacity building and networking needs of both the CSOs and the local communities. It is impossible to be prescriptive here in advance, but it might, for instance, be the case that such CSOs would see the value in re-invigorating a civil society network explicitly oriented to peace-building activities (perhaps an Acehnese Civil Society Peace Network, or a new version of the now defunct “Civil Society Taskforce”). It might be that local CSOs would see the value in networking on rights-based approaches to tsunami reconstruction. The CSOs would also be able to identify key capacity-building needs at the community level. For example, it might be appropriate to engage in capacity building for village chiefs (*keuchik*), to support networks of women (e.g. conflict or tsunami widows) in target communities, or to support networks of village youths (such work has been promoted by various Acehnese CSOs in the past). The medium term aim would be to assist these communities to articulate their own desires and interests in the context of a broader peace process and independent of pressures from the warring parties.
- c) Opportunities for “scaling up”. The key innovative aspect of this approach would be to link the capacity building and problem identification/articulation at the

grassroots with higher-level activities. At least **two** mechanisms present themselves:

Mechanisms in the context of tsunami reconstruction.

As noted above, there are already some networking arrangements that promote a rights-based approach to tsunami reconstruction (e.g the Protection and Advocacy Working Group that combines local and international NGOs). Depending on the political context, it might be possible to build on these mechanisms to encourage civil society – donor coordination of peacebuilding approaches in tsunami reconstruction. It might also be possible to explore avenues for cooperation with the GOI, especially the body with overall responsibility for tsunami reconstruction (Badan Rehabilitasi Rekonstruksi Aceh-Nias, BRR: Aceh-Nias Rehabilitation and Reconstruction Agency), for integrating peacebuilding approaches into the reconstruction effort. (It is worth noting here that this body is already beginning to explore ways in which the post-peace agreement climate is going to impact upon its work).

Linking to the Dialogue Workshops.

Another way to promote ‘scaling up’ of the results of the grassroots capacity building and problem identification would be to link them to the dialogue workshop series proposed in Option one. For example, issues canvassed at the community level could in turn become materials for discussion and brainstorming at these workshops.

### ***Conclusion: Aceh Peacebuilding and the Agents of Change Model***

In summary, what is envisaged by these two options are different mechanisms for an innovative application of the “agents of change” model that has been developed by the Berghof Foundation in its peacebuilding support elsewhere (Berghof Foundation 2005a). The first option envisages identifying key ‘influentials’ (individuals with decision-making, advisory or public opinion-making power) and encouraging networking between them with the hope of identifying and supporting from among their ranks ‘agents of change’ (individuals and organizations that are not only committed to change, but are also in a position to induce it). It is a strategy that focuses on a limited number of individuals from a cross-section of institutions and backgrounds, fostering interlinkages between them in a way that encourages original thinking for a sustainable conflict to peace transition. The second option focuses on a longer term process of engagement with and support for key organizations that are committed to change, but currently lack the strategic capacities to effect it. A combination of the two approaches allows for both strategic intervention into key issues that are crucial for the macro-political process and the long-term construction of local institutions able to manage, ameliorate and pre-empt conflict in Aceh, as well as long term engagement with civil society and the strengthening of its capacity to represent community interests in favor of peace.

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