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Aceh Conflict Resolution Process Dr. Suadi Zainal, M.Si Universitas Malikussaleh Lhokseumawe – Aceh Prologue Learning from the Aceh conflict, a resolution with a national security approach cannot end the conflict for the liberation movement. They can be stopped through negotiations involving international third parties, with a two diplomacy mechanism. The Aceh conflict has involved two international organizations. First, **the Henry Dunant Center (HDC)** – The Center for Humanitarian Dialogue (HD) (2000-2003), but did not result in a peace agreement. The second is **the Crisis Management Initiative (CMI)** (2004-2005).

The period was relatively short, informally starting in December 2004 before the tsunami, and formally January to August 2005, where negotiations proceeded in five phases (round) [1] and resulted in a peace agreement (Memorandum of Understanding) that had lasted 2 decades. In this major work, CMI involves other influential parties in Europe, both state and non-governmental organizations. Some even work behind the scenes, such as **UN Secretary-General Kofi Annan, Javier Solana and Benita Ferrero-Waldner** from the European Union and the Olof Palme Center [2].

How did the negotiation process begin and how did it end? In early 2004 –Jusuf Kalla as Minister for People’s Welfare launched a secret process for peace talks. He was assisted by Farid Husein and Juha Christiansen (a businessman from Finland who has made investments in Indonesia and also a close friend of Farid Husein) to contact GAM leaders in Sweden for peace talks, and ask Ahtisaari be engaged to the Aceh Peace Process [3]. Juha approached Martti Ahtisaari by help of the chief editor of the newsweekly Suomen Kuvalehti in Finland.

Meanwhile, in late 2004, the new administration of **President Susilo Bambang**

Yudhoyono and Vice-President Jusuf Kalla came to power, Kalla renewed his secret efforts in earnest. Juha arranged everything for start peace talk and Farid Husein established contact between Ahtisaari and Jusuf Kalla. Then Ahtisaari met secretly with GAM leaders, and a meeting was planned [4]. The initiative was kept away from government bureaucracy to avoid any possible attacks from politicians, but Kalla informed President Yudhoyono throughout [3].

Ahtisaari was viewed suitable for mediating both parties, because he was a former president of Finland and had track-records in the resolution of the conflict in several cases around the world (Northern Ireland Conflict, South Africa, and Kosovo). So he had prestige, power and international personality to mediate fairly and impartially [5]. Ahtisaari (CMI) invited GAM and the Gal to meet on 24 December 2004, two days before the tsunami struck Aceh. However, representatives of the government of Indonesia (GoI) and the Free Aceh Movement (GAM) met for the first time on 27 January 2005 at Koenigstedt Manor in Riiipila, Vantaa, about twenty-four kilometres northwest of Helsinki, and resulted in signing the Memorandum of Understanding (MoU) as a peace agreement on August 15, 2005.

The agreement consisted of the governance of Aceh, human rights, amnesty and reintegration, security arrangements, the establishment of the Aceh Monitoring Mission (AMM) and dispute settlement [6, 7]. In summary, it contains three main matters: (1) the administration of Aceh governance; (2) human rights; and (3) amnesty (forgiveness) and reintegration [8]. In peace talks process, both parties sent the highest rank representatives, Indonesia; Hamid Awaluddin (Minister of Law and Human Rights) as head of the delegation, Sofyan Djali (Minister of Communication and Information Sofyan Djali), Farid Husain (Deputy Coordinating Minister for Politics and Security), Maj. Gen.

(Retired) Usman Basyah and I Gusti Agung Wesaka Puja (Director of Human Rights, Humanity, and Social Culture), Widodo Adi Sucipto (the Coordinating Politics and Security Minister Admiral), and Major General Syarifuddin Tippe (the commander of Korem 012 for Aceh since the late 1990s). Meanwhile, GAM; Malik Mahmud (the Prime Minister of the Government of the State of Aceh and the Aceh-Sumatra National Liberation Front, ASNLF) as head of delegation, Zaini Abdullah (the Foreign Minister), Bakhtiar Abdullah (spokesman), and Mohammad Nur Djuli and Nurdin Abdul Rahman (political officers), and Shadia Marhaban and Irwandi Yusuf (leaders from Aceh). GAM also was supported by outsiders; William Nessen (U.S.

citizen and the author, as unofficial advisers for the first round), the Universiti Kebangsaan Malaysia academic (Dr. Vacy Valzna replaced William Nessen and Professor Palanisamy Ramasamy replacing Vacy Valzna for two rounds). Besides, GAM was

supported by Damien Kingsbury (the Australian academic), who advised on and formulated options for negotiation throughout the process. [6, 7, 9]. Some reasons for the success of the negotiations mediated by CMI are; **the Helsinki peace process** took place in a different context (the tsunami severely damaged Aceh, and the replacement of the Indonesian president in a democratic manner); the content of the peace talks is comprehensive, reflects a compromise and creative; the peace process has the highest political support from both parties; and the role of third party was imperative in helping the conflicting parties to come to an agreement [10].

With regard to third parties (CMI), of course, their strategy and role are different from those carried out by HDC which failed to reach a peace agreement. CMI has acted as a facilitator and mediator. As a facilitator, CMI facilitated GAM and RI in conducting negotiations in the form of places, transportation costs, administration, accommodation, and security costs during the negotiation process in Helsinki, Finland. The facility was obtained by CMI in collaboration with partners, namely the Government of Finland and the European Commission [11, 12].

Kingsbury[6] mentions "The Finnish government funded the first 'unofficial' round of talks, with subsequent rounds becoming more official and being funded by the European Union". The question is, why in Helsinki Finland? There are at least two strong reasons; so that there is European Union (EU) monitoring of any agreement, and so that both parties can be isolated from the press as much as possible [2]. In the negotiation process, before entering the negotiating table, Ahtisaari tried to get to know the parties and their experiences, especially GAM. He invited GAM people in Sweden to Helsinki in early January 2005 [2].

Meanwhile at the negotiating table, Marti Ahtisaari (CMI) asked the parties to downgrade their respective demands; The Indonesian government moved beyond its previous autonomy and GAM lowered its demands rather than independence. Ahtisaari had pressured GAM from the start of the negotiations, explaining that they would not get international support for independence, and that he would persuade European countries and the rest of the world not to recognize Aceh's independence. Meanwhile, the Government of Indonesia, without pressure from Ahtisaari, realized that failure to reach an agreement would disrupt the supply of international assistance for the reconstruction of post-tsunami Aceh [13].

At another time **he admitted that he had** to cooperate with GAM, how they could get what they wanted, which according to them was independence [2]. Among other things, he changed the word special autonomy to self-government which was published by the Finnish media, thus inspiring GAM to offer the concept to the Indonesian government in

the second round of negotiations and Ahtisaari tricking the Indonesian government to approve it with variations in its content being discussed in the next round of negotiations. As a result, in subsequent negotiations GAM was able to offer its demands under a self-governing model.

Among the most crucial was GAM proposing local parties for elections in Aceh [12]. Towards the end of the round, CMI and Martti drafted a Memorandum of Understanding to be proposed to both parties for discussion and revision for signature [14, 15]. The Final Round has involved EU representatives, and it is proposed to the Government of Indonesia to establish an institution to oversee the implementation of the agreement and determine appropriate ways to integrate former GAM combatants into society [16, 17].

Finally, it was agreed to form an Aceh Monitoring Mission (AMM) to oversee the implementation of the agreement, consisting of EU (125 personnel), ASEAN (93 personnel) and Local (70 employed persons) [12, 18], with work duration 15 September 2005–15 December 2006, and the mission's mandate: (a) to monitor the demobilisation of GAM and monitor and assist the decommissioning and destruction of its weapons; (b) to monitor the redeployment of non-organic Indonesian military (TNI) and police; (c) to monitor the reintegration of active GAM members into society; (d) to monitor the human rights situation in the context of the tasks above; (e) to monitor the process of legislation change in Aceh; (f) to rule on disputed amnesty cases; (g) to investigate and rule on violations of the MOU; (h) to establish and maintain liaison and good cooperation with the parties [19]. The description above illustrates the strength of CMI versus HDC.

HDC's weakness are; HDC facilitated negotiation based on humanitarian, so that the two parties only agreed to stop hostilities temporarily; HDC was not well known and did not have sufficient strength to deal with conflict situations; and HDC was weak in overseeing the implementation of peace agreements. The Joint Security Commission involving HDC, the Indonesian military and GAM was designed to increase mutual trust and rely solely on the good will of the warring parties [20]. It is similar to Perez (2009) stated the primary objectives of HDC peace process were lowering military tensions, facilitating disarmament, developing measures of trust, etc. It did not deal with the key theme on the status of Aceh within the country.

Other key variable was the weakness of the HDC in conducting the negotiations, its lack of experience in handling international conflict. Finally, HDC did not involve international organizations so great and massive [21]. However, the resulting MoU is not operational in nature, requiring a law as an operational framework, as stated in the MoU: "The new

Law on Governance in Aceh will be promulgated and will come into force as soon as possible and no later than 31 March 2006. " However, the reality is that the Law on the Government of Aceh was officially signed by **President Susilo Bambang Yudhoyono** on August 1, 2006, given the name Law no. 11 of 2006 concerning the Government of Aceh (UUPA) [22].

The process of its formation went through a winding road and involved many parties, the general public, civil society, university academics, GAM, political parties (executives) and provincial and national executives. As a result, conflicts of interest cannot be avoided. In the end, GAM had to give up on the options offered by many parties in the name of democracy. As a result, the LoGA does not at all explain whether Aceh's status as a self-government area is as discussed in the peace agreement [20].

At the national level, the rejection of GAM and civil society, which strictly monitors the law, was answered with "Improvements will be made in the future"[20, 22]. Again, it turns out that to this day the revision of the LoGA has not occurred, although GAM through the Aceh parliament under its control, have tried several times. Even the Central Government **reduces the authority of** Aceh which has been regulated in the LoGA by referring to the Regional Autonomy Law that applies nationally.

The main reason for Aceh's failure to carry out post-peace political negotiations is that Aceh has been positioned as Sub-ordinate or in an asymmetrical relationship and without an imperative international third party. It is different from GAM's position when peace negotiations are positioned symmetrically by involving CMI which has the power to intervene on both sides [23]. Although the AMM was mandated to monitor the legislative change process, it was unable to resolve the issue "A number of unresolved issues remain,...the revisions of the laws governing the special autonomy granted to Aceh.

AMM fokus utamanya is to monitor the decommissioning, demobilisation and reintegration (DDR) of former GAM combatants, as well as to **rule on disputed amnesty cases** [24]. AMM played an effective but narrow role, and its success counters arguments for inclusive and broad "human security" approaches to peacebuilding [25]. References 1. Morfit, M., Beyond Helsinki: Aceh and Indonesia's democratic development. 2012. 2. Ahtisaari, M., Delivering peace for Aceh. Accord, 2008. 20: p. 22. 3. Lingga, A.S.M., The Aceh peace process and lessons for Mindanao. 2007: Institute for Autonomy and Governance. 4. Santoso, A., A Crucial Element in the Aceh Peace Talks.

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