

Policy Studies 1

The Aceh Peace Process: Why it Failed

Edward Aspinall and Harold Crouch



East-West Center
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List of Acronyms

AGAM	Angkatan GAM (GAM's military wing)
ASNLF	Acheh-Sumatra National Liberation Front (official name for GAM)
Brimob	Brigade Mobil (Police Mobile Brigade)
<i>bupati</i>	administrative head of rural district
COHA	Cessation of Hostilities Framework Agreement (signed December 9, 2002)
DOM	Daerah Operasi Militer (Military Operations Zone)
DPR	Dewan Perwakilan Rakyat (People's Representative Council; national parliament)
DPRD	Dewan Perwakilan Rakyat Daerah (local parliament)
GAM	Gerakan Aceh Merdeka (Free Aceh Movement)
Golkar	political party of the former Suharto regime
HDC	Henry Dunant Center (later renamed the Centre for Humanitarian Dialogue)
JSC	Joint Security Committee
KBAK	Komite Bersama Aksi kemanusiaan (Joint Committee on Humanitarian Action)
KBMK	Komite Bersama Modalitas Keamanan (Joint Committee on Security Modalities)

Kodam	Komando Daerah Militer (Regional Military Command)
Kodim	Komando Distrik Militer (District Military Command)
Kopassus	Komando Pasukan Khusus (Army Special Forces)
Koramil	Komando Rayon Militer (Subdistrict Military Command)
Korem	Komando Resort Militer (Subregional Military Command)
Kostrad	Komando Strategis Cadangan Angkatan Darat (Army Strategic Reserve Command)
LIPI	Lembaga Ilmu Pengetahuan Indonesia (Indonesian Institute of Sciences)
MPR	Majelis Permusyawarahan Rakyat (People's Consultative Assembly; Indonesia's supreme legislative body)
Muhammadiyah	modernist Islamic organization
NAD	Nanggroe Aceh Darussalam (the province of Aceh as renamed by the Special Autonomy Law of 2001)
Nahdatul Ulama	traditionalist Islamic organization
NKRI	Negara Kesatuan Republik Indonesia (Unitary State of the Republic of Indonesia)
PAN	Partai Amanat Nasional (National Mandate Party)
PDI-P	Partai Demokrasi Indonesia—Perjuangan (Indonesian Democracy Party—Struggle)
PKB	Partai Kebangkitan Bangsa (National Awakening Party)
Polri	Kepolisian Republik Indonesia (Indonesian National Police)
RATA	Rehabilitation Action for Torture Victims in Aceh
SIRA	Sentral Informasi Referendum Aceh (Aceh Referendum Information Center)
TMMK	Tim Monitoring Modalitas Keamanan (Security Modalities Monitoring Team)
TNI	Tentara Nasional Indonesia (Indonesian Military)
UNPO	Unrepresented Nations and People's Organization

walikota administrative head of urban district (mayor)
wali nanggroe head of state

Executive Summary

This paper presents a preliminary analysis of the history and dynamics of Aceh's abortive peace process. We survey the origins and progress of the negotiations, the roles played by the main players, the problems encountered along the way, and the achievements that were registered. Above all, our concern is to understand the reasons for the failure of the process in the hope that the lessons learned may be of relevance to policymakers, analysts, and others with an interest in the long-term resolution of the Aceh conflict as well as other internal disputes in the region and beyond.

The failure of the final round of talks between the government of Indonesia and the Free Aceh Movement (GAM) in May 2003 ended a process that had its roots in the collapse of the authoritarian regime of President Suharto in May 1998 and the subsequent election of Abdurrahman Wahid to the Indonesian presidency in October 1999. These events opened the way for dialogue between President Abdurrahman's government and GAM's leadership-in-exile in Sweden. In May 2000, a cease-fire agreement of sorts was reached but it soon broke down. Contact between the two sides was not entirely severed, however, and following Abdurrahman's replacement by Megawati Sukarnoputri in July 2001, a new round of talks opened and eventually resulted in a "cessation of hostilities" agreement in December 2002. This agreement was welcomed with much enthusiasm not only in Aceh but internationally, although all parties knew it was just one step toward the overall resolu-

tion of the conflict. The pact provided for internationally monitored demilitarization of the territory to be followed by a dialogue “reflecting the views of all elements” of Acehnese society and finally “a free and fair electoral process.” Although the agreement led to a sharp decline in armed conflict, the peace process did not proceed smoothly. When GAM refused to compromise on its demand for independence, the Indonesian military began to undermine the agreement by encouraging demonstrations against the international monitors and making preparations for a renewed military campaign. Then the Indonesian government presented an ultimatum that GAM rejected at a final meeting in Tokyo on May 18, 2003. At midnight the government declared a military emergency in Aceh and military operations commenced soon after. There seems to be little prospect of an early renewal of talks.

The peace process broke down because the two parties were unable to agree on the fundamental issue dividing them: whether Aceh would become an independent nation or remain an integral part of the Indonesian state. Leaders in Jakarta were determined to maintain Indonesia’s territorial integrity and prevent “national disintegration.” But GAM leaders were equally adamant that Aceh had an incontrovertible right to independence. The strategy of the peace process, as conceived by its Geneva-based mediator, was to bridge the gap between the two sides by shifting the focus away from incompatible goals toward more immediate concerns such as reduction in hostilities, disarmament, reconstruction, and the like. It was hoped that the two sides would be able to develop greater confidence in one another and perhaps eventually come up with unexpected and creative means to resolve the underlying political difference. In other words: the idea was to develop a political framework for resolving the conflict by peaceful rather than violent means.

Reality proved to be very different. Not only were the two sides rarely able to put aside their differences over first principles, but neither evinced an unreserved commitment to the peace process as the primary means for resolving the conflict. Although the peace process was initiated by the Indonesian government, significant Indonesian groups were either profoundly ambivalent or openly hostile whereas GAM leaders never lost sight of their ultimate goal of independence. Both sides viewed the process primarily in tactical terms—as a means to undermine their opponents, force their surrender, or gain some other short-term advantage. Far from building trust, the process served ultimately to entrench the positions of the two sides and deepen the division between them.

Even so, we conclude that the Indonesian government's current resort to a military solution is unlikely to resolve the conflict and may ultimately prove counterproductive. Moreover, "special autonomy" is unlikely to satisfy Acehnese aspirations unless accompanied by major economic and political reforms. Eventually a return to negotiations—not necessarily with GAM alone—will be necessary. In drawing lessons from the achievements and failings of the 2000–2003 peace process, we draw particular attention to the unrealistic expectations for rapid progress toward a "final" solution. Rather than seek an immediate resolution it might have been better to concentrate, as proposed by the mediator, on preserving the "cessation of hostilities" and maintaining peaceful conditions. A "delayed settlement" approach may have been preferable—postponing substantive discussions about the ultimate political status of Aceh while offering GAM incentives to abandon its armed struggle and participate in conventional political activities. Such a delay would also have given the central government time to improve its own image among Acehnese. To achieve such an outcome in the future, however, both sides will need to recognize that their military options are truly exhausted.

The Aceh Peace Process: Why it Failed

On May 18, 2003, peace negotiations in Tokyo between the Indonesian government and the Free Aceh Movement (Gerakan Aceh Merdeka; GAM) finally collapsed.¹ The GAM negotiators had rejected an Indonesian ultimatum requiring them to abandon their goal of independence for Aceh, accept autonomous status for the territory within Indonesia, and immediately lay down their arms. The government had warned that refusal to comply would mean a renewed military offensive and an end to the peace process. Malik Mahmud, the top GAM leader at the talks, told journalists that “the Indonesian government wishes to continue its war on the Acehnese.” He added: “We shall fight. We are ready. We have been fighting for twenty-seven years.”²

The government’s response to GAM’s rejection of the ultimatum was immediate and unequivocal. Within hours, President Megawati Sukarnoputri signed a decree placing Aceh under martial law. The military commander in chief, General Endriartono Sutarto, ordered the tens of thousands of troops assembled in the province to launch a “Security Restoration Operation” aimed at “destroying GAM forces down to their roots.” Their job, he said, was simple: “They have the task of finishing off, killing, those who still engage in armed resistance.”³

The declaration of martial law marked the end of a process that had begun early in 2000. Since then cease-fire agreements had twice brought Aceh several months of relative calm that ended with the renewal of mili-

tary operations. Although both sides made important tactical concessions, neither the Indonesian government nor GAM had been willing to compromise on what both saw as the fundamental issue: would Aceh become an independent nation or would it remain an Indonesian province?

The national government, reflecting the sentiments of many Indonesians, upholds a vision of a multiethnic and multicultural nation consisting of the regions inherited from the Dutch East Indies.

Would Aceh become an independent nation or remain an Indonesian province?

Committed to defending its inherited borders, the government realizes that holding a referendum on Aceh's future, let alone granting independence, might stimulate similar demands in other regions and, in a worst-case scenario, could even lead to the breakup of the country. Aceh, of course, is also valuable to Indonesia for economic reasons—particularly as an exporter

of oil and natural gas. Public opinion in Indonesia is overwhelmingly opposed to independence for Aceh and generally supports “firm measures” against GAM.

Nevertheless, compared to the unrelenting position of the Suharto government, the post-1998 governments made substantial concessions aimed at addressing at least some of the grievances of Aceh's people. At the core of the government's approach was the concept of “special autonomy”—proposed under President B. J. Habibie, passed by parliament under President Abdurrahman Wahid, and signed into law by President Megawati. Special autonomy provides a huge boost to provincial and district government revenue that could be used to improve the welfare of the Acehnese people. The law also paves the way toward greater local participation in government including the eventual direct election of the heads of provincial and district governments. But on the fundamental issue of independence, Jakarta was adamant that it would make no concession at all.

The most important opposition to the peace process came from within the Indonesian military (Tentara Nasional Indonesia; TNI), which was reluctant even to begin talking with separatist rebels. President Abdurrahman Wahid initiated talks during a brief window of opportunity when the TNI was on the political defensive; indeed a major cause for the breakdown of the process in subsequent years was the reconsolidation of the military's political position. For the TNI the bottom line was always

that GAM should accept Aceh's status as a province within the "Unitary State of the Republic of Indonesia" (Negara Kesatuan Republik Indonesia; NKRI). Most military officers believe that concessions will only encourage further resistance; many have little understanding of the concept of "winning hearts and minds." But the military had another reason to be wary of peace talks. It is usually estimated that the national budget provides only about 30 percent of the financial requirements of the security forces—which means they must find the other 70 percent themselves. Aceh's oil and natural gas industries are a source of such funds. Large payments are made to the military while soldiers are hired out as private security guards. Military and police personnel also take advantage of disturbed conditions to involve themselves in illegal logging and the marijuana trade while ordinary soldiers, as well as police, regularly impose illegal tolls on traffic along major highways. The security forces therefore have an interest in keeping the conflict going at a level high enough to make enterprises feel vulnerable and in need of protection.

The Special Autonomy Law provides a further incentive for the military to retain a substantial presence in Aceh, as its financial provisions have made the provincial government suddenly awash with funds and therefore vulnerable to pressure to share its affluence with the military (Mietzner 2003). The military, and also the police, have therefore been unenthusiastic about talks that might lead to a peace settlement which would result in the reduction of the military and police presence and the creation of conditions that would make it more difficult to extract protection money (ICG 2001a). For this reason, successful resolution of the Aceh conflict may in the long run depend not so much on the negotiations themselves as on broad political and military reform within Indonesia.

The government has been divided between hawks and doves on its strategy toward Aceh. It was not only the military that adopted a hawkish stance toward negotiations. Most members of the national parliament—in which President Megawati's Indonesian Democracy Party of Struggle (Partai Demokrasi Indonesia—Perjuangan; PDI—P), President Suharto's old Golkar Party, and appointed military and police representatives occupied more than 60 percent of the seats—were generally opposed to making substantial concessions. The gradual reconsolidation of the TNI's political position during the three years of the peace process contributed to a hardening of the government's approach and eventually undermined

the remaining doves. In any case, at no time did the doves envisage allowing Aceh to secede. The government adopted a dual-policy framework that combined military operations and peace talks—with the emphasis changing according to conditions on the ground and the shifting balance of forces within the government. In contrast to the doves, who at least kept open the prospect of a negotiated settlement, the military hawks believed that peace could only be restored by annihilating GAM.

On the GAM side, divisions between soft and hard-line factions were not obvious. After all, GAM itself represented the most hard-line and intransigent element within Acehnese society. GAM's leaders believed that they represented the legitimate government of the state of Aceh and that Acehnese independence was already established *de jure*. (On GAM claims see Aspinall 2002.) Before 2000 the GAM leadership-in-exile in Sweden maintained its hard-line position, but in the exceptional circumstances prevailing at the end of 1999 they responded to President Abdurrahman's invitation to negotiate. GAM's leaders, however, did not seriously believe they would be able to persuade Indonesia to concede independence through negotiations. Their immediate aims appear to have been to secure greater international recognition and to take advantage of the opportunity that a cease-fire would provide to broaden GAM's support base and consolidate its military forces.

If GAM's leaders did not expect to win independence through negotiations, what was their strategy? GAM's military forces numbered only a few thousand poorly armed men. Its leaders, therefore, were under no illusion that they would one day defeat the TNI on the battlefield. GAM's military goal was simply to retain a significant presence as a resistance force. Having survived successive military operations for over twenty years, GAM's leaders seemed confident that the organization could withstand any future military onslaught simply by withdrawing to the hinterland.⁴ Ultimately they expected their future would be determined not so much in Aceh as in Indonesia itself. In interviews with one of the authors in Stockholm in July 2002, exiled GAM leaders expressed their confidence that "Indonesia-Java" would soon collapse under the weight of its accumulated problems.⁵ In interviews with the other author in Banda Aceh in March 2003, one of GAM's negotiators acknowledged that GAM could never secure a military victory over the TNI and could not expect independence through negotiations but was convinced that Indonesia sooner or later would disintegrate.⁶ Another GAM negotiator concurred:

“Indonesia’s cancer has already spread too far for it to recover.”⁷⁷ Such views imply that whether or not there is an agreement between GAM and the government, GAM only needs to survive and wait for Indonesia to fall apart like the USSR. Now let us trace the history of the negotiations in some detail before examining why they ultimately failed.

The Prelude

The fall of President Suharto’s authoritarian New Order regime in 1998 lifted the lid on social and political protest not only in Aceh but throughout Indonesia in circumstances where the new government lacked authority and capacity to impose its will. Resentment against rule from Jakarta had long been festering in Aceh. In the 1950s the Islamic Darul Islam rebellion had broken out in the province but was eventually resolved by a combination of military action and negotiations that recognized Aceh as a “special territory.” But GAM, which emerged in the 1970s, was primarily driven not by Islamic aspirations but by Acehnese nationalism. Many ethnic Acehnese, who make up about 75 percent of the province’s population, have a strong sense of their distinct identity derived from the history of the precolonial sultanate and the resistance to the Dutch military campaign that finally conquered the territory at the beginning of the twentieth century. Today the extreme alienation that underpins the GAM insurgency is largely a reaction to the policies and behavior of the Suharto regime (Kell 1995; Robinson 1998; Aspinall 2002). The development of major natural resource industries in the 1970s, especially the massive Arun gasfields, created a widespread perception that Aceh’s natural resources were being exploited for the benefit of outsiders rather than the local population. When Acehnese resentment led to rebellion, the Jakarta government sent troops whose brutal practices only exacerbated anti-Jakarta sentiment.

GAM was formed in 1976 when Teungku Hasan di Tiro, descendant of a famous *ulama* who led the nineteenth-century resistance to the Dutch, launched a challenge to Jakarta rule. (For a detailed discussion of GAM see Schulze forthcoming.) The small-scale initial revolt was quickly suppressed and most of the leaders were killed or arrested, although Hasan di Tiro and a few others managed to escape overseas. A larger rebellion in 1989 was met by a harsh counterinsurgency operation that turned Aceh into a “Military Operations Zone” (Daerah Operasi Militer; DOM) where the military became in effect an unrestrained occupying

power. Estimates range from 1,000 to 3,000 killed and as many as 1,400 missing as a result of DOM operations (ICG 2001a: 3). Although the GAM insurgency was largely defeated by 1992, troops remained in the province and antagonism toward Jakarta became deeply entrenched in the local population.

The collapse in the authority of the central government following the fall of President Suharto in May 1998 permitted a sudden upswing in open antimilitary and anti-Jakarta sentiment in Aceh. In an effort to restore public confidence in the central government, the military commander in chief, General Wiranto, announced in August 1998 the lifting of Aceh's DOM status and even felt compelled to apologize personally for the behavior of "individual soldiers."⁸ In March 1999, Suharto's successor as president, B. J. Habibie, visited Aceh where he too apologized "for what has been done by the security forces, by accident or deliberately," and announced the release of political prisoners.⁹

Meanwhile President Habibie had taken an extraordinary initiative to resolve another separatist conflict. On January 27, 1999, he announced his offer of a referendum (although he used the term *popular consultation*) to determine the future of East Timor. Although Habibie made it clear that a similar offer would not be made to Aceh, his announcement had an immediate impact in that province where in February students formed the Aceh Referendum Information Center (Sentral Informasi Referendum Aceh; SIRA) to demand a referendum on independence for Aceh. When the governor, Syamsuddin Mahmud, attempted to undercut the movement by calling for a federal system and the implementation of Islamic law in Aceh, he was answered by a demonstration of tens of thousands of students demanding independence. Habibie's visit the following month was similarly met by thousands of student demonstrators.

Apart from the growing demand for a referendum, the period from late 1998 also saw the rapid growth of GAM. By the middle of 1999 the movement was better organized and in control of a greater proportion of the Acehnese countryside than ever before. One sign of this reconsolidation was a series of assassinations of *cuak*, Acehnese who had worked as informers for the military. There were attacks on police and military posts, too, as well as murders and kidnappings of officers. From November 1998 clashes between GAM and the security forces became common. And under the unprecedented conditions of press freedom

obtained in the aftermath of Suharto's fall, the views of GAM leaders were for the first time quoted extensively in the national and local press.

Although GAM's growth was encouraged by the general breakdown of government authority in the province, it was also assisted by the release of several dozen GAM detainees as part of the government's amnesty for political prisoners as well as the return to Aceh of GAM fighters from Malaysia and elsewhere. Many of these men had received military and ideological training in Libya during the 1980s. As a result, an experienced and well-trained force of cadres was on hand to resurrect GAM's organizational infrastructure and oversee recruitment of new fighters. Anti-Jakarta sentiment was further aggravated during 1999 by several atrocities committed by the security forces against ordinary citizens. It was reported that during the seventeen months after the lifting of DOM in August 1998, some 447 civilians and 87 members of the security forces had been killed while another 144 were missing.¹⁰

Disaffection from Jakarta—as well as intimidation by GAM—was shown by the low turnout in the 1999 general election, especially in the three north-coast districts where GAM had strong roots. In North Aceh the turnout was only 1.4 percent, in Pidie 11 percent, and in East Aceh 50 percent.¹¹ Then the pro-referendum movement organized a series of massive strikes and rallies in late 1999. A two-day strike paralyzed Banda Aceh, Lhokseumawe, and other towns on August 4–5. On November 8 a massive protest virtually took over Banda Aceh—although the number participating was surely much less than the claimed two million. Even the provincial governor and the provincial parliament (Dewan Perwakilan Rakyat Daerah; DPRD) were unable to resist pressure to issue statements supporting a referendum.

Although the referendum movement was led by students from Aceh's urban areas, in rural Aceh it was sometimes difficult to distinguish it from the upsurge in support for GAM. Certainly GAM flags and "Free Aceh" slogans were frequently visible at referendum rallies and motorcycle convoys. GAM's growing strength was further indicated when the call to commemorate the twenty-third anniversary of the foundation of GAM on December 4, 1999, attracted such widespread support that the government, military, and police made no effort to prevent it.¹² Not only was the commander of GAM's military forces, Teungku Abdullah Syafi'ie, permitted to appear three times on television to appeal to his followers to remain calm, but the police chief gave people permission to

raise the GAM flag provided they did not pull down the Indonesian national flag at government offices. In many parts of Pidie, North Aceh, and East Aceh, local government was hardly operating as government employees stopped going to their offices either in protest or as a result of intimidation.

By late 1999 the government had lost much of its authority in Aceh. Nevertheless, despite the widespread resentment against Jakarta, it had so far coalesced only into a call for a referendum. For many, probably most, “referendum” was really code for “independence.” But the government in Jakarta could still hope that political and other concessions would win back much of the population. On September 22, 1999, the national parliament (Dewan Perwakilan Rakyat; DPR) passed a law granting the provincial government authority to determine its

*For many, “referendum”
was code for “independence”*

own policies in the fields of religion, custom, and education and acknowledging the formal role of the *ulama* in government policymaking. In October the People’s Consultative Assembly (Majelis Permusyawarahan Rakyat; MPR) adopted a decree that specifically recognized “special autonomy” in Aceh (and Papua). These measures seem to have had little impact in Aceh, however, where anti-Jakarta feeling continued to intensify. It was in these circumstances of impending crisis that the new government of Abdurrahman Wahid, elected in October 1999, decided to move toward negotiations with GAM.

A New President and the Opening of Negotiations

The peace talks would never have begun without a fortuitous confluence of events that produced a watershed in Indonesia’s political life. The military was still reeling in the aftermath of the collapse of the Suharto regime and the international opprobrium that followed its handling of the East Timor referendum. In Aceh itself, the growing pro-referendum campaign and the reawakening of the GAM insurgency demonstrated that the Jakarta government was losing its grip. Meanwhile the erratic but reformist Abdurrahman Wahid—leader of the traditionalist Muslim organization Nahdatul Ulama and founder of the Democracy Forum that had opposed Suharto’s authoritarian rule—was elected president in October 1999. This unusual combination of circumstances gave Abdurrahman, a man with a philosophical commitment to the peaceful

resolution of communal conflict and a deep suspicion of the military, a window of opportunity to initiate negotiations with GAM.

A month before his election, on a visit to Aceh, Abdurrahman had responded to a statement by five hundred *ulama* supporting a referendum by asserting that “for a long time I have said that I agree with a referendum for Aceh.” But he also warned that the lesson of East Timor should be understood and a hasty referendum should be avoided.¹³ As president, Abdurrahman’s penchant for off-the-cuff comments caused much confusion about the government’s position on the Aceh question. Initially he raised the hopes of the pro-referendum movement while provoking alarm among the nationalists. “If we can do that in East Timor, why can’t we do that in Aceh?” he asked foreign journalists. He added: “The question is, if there is a referendum, when?” During a Southeast Asian tour in November he then made a series of confusing comments on the topic. In Manila, for example, he explained he was only offering a referendum on three options—“total autonomy,” a 75–25 distribution of revenue between Aceh and Jakarta, and special-province status—but not on the question of independence.¹⁴ In Jakarta, the bewildered minister of defense, Juwono Sudarsono, told the national parliament that “the last I heard from the president” was that the government had agreed to a referendum on whether to implement Islamic law.¹⁵ By the end of November, Abdurrahman was telling Acehnese visitors that he personally did not object to a referendum on independence but had to take account of the opinions of the DPR, MPR, and military. Finally, at a meeting of DPR leaders, the president declared that he would not tolerate the separation of Aceh from Indonesia.¹⁶

The president’s willingness to consider a referendum did not reflect the views of Indonesia’s political elite. No major political party expressed support for a referendum; the military was totally opposed. Indeed the military seems to have been convinced that a referendum in Aceh would produce a result similar to the one in East Timor. The regional army commander for North Sumatra (including Aceh), Major General Abdul Rahman Gaffar, stated that the people of Aceh would support independence if the choice were given.¹⁷ The military spokesman, Major General Sudradjat, argued that if a referendum were to be held, the other twenty-six provinces should also participate because “Aceh is the property of the entire Indonesian nation.”¹⁸ Although a special committee of the DPR examining the Aceh question had recommended studying the possibility

of a referendum, the full DPR made its position clear by removing all reference to a referendum in its final resolution.

Abdurrahman then turned his mind to the prospect of holding talks with GAM. Prior to that time, senior officials of the Indonesian government, as well as GAM leaders, had rejected this possibility.¹⁹ Although the president claimed on several occasions that he was already in informal communication with GAM leaders, it was not clear whom he meant—whether GAM leaders in Sweden, or in Aceh itself, or even a dissident faction in Malaysia.²⁰ Meanwhile a representative of the newly established Henry Dunant Center (HDC) had met the president in Jakarta and suggested that it might be able to help in facilitating contacts.²¹ Flying in the face of nationalist and military opposition to “foreign interference” in an internal matter, Abdurrahman then met officials of the HDC on January 30, 2000, during a visit to Geneva and asked it to play a mediating role in talks.²² The HDC defines its mission in terms of the “new prevention” philosophy of mediated negotiation in search of peaceful solutions for intrastate conflicts. Although it was a new organization and the Aceh conflict was its first significant mediation attempt, its staff—even though lacking Indonesian experience—did have extensive involvement in UN-organized humanitarian operations in many of the worst conflict zones around the world.²³

Negotiations were always going to be difficult. After all, GAM spokespeople repeatedly insisted they would settle for nothing less than independence and Indonesian leaders were equally adamant that negotiations had to occur within the framework of the unitary state. But the HDC hoped that dialogue focusing on the humanitarian issues at the core of the conflict could itself build trust between the two parties and bring them together in possibly unexpected ways. While their positions appeared to be irreconcilable at the outset, the organization thought the negotiation process itself could produce confidence-building measures and prepare the way for a permanent resolution. The HDC’s initiative was broadly supported by the international community, particularly the United States and the European Union.

One problem in starting negotiations was the physical location of the GAM leadership: Hasan di Tiro and other leading members of GAM’s founding generation had been living in exile in Sweden for almost two decades;²⁴ GAM’s fighters in the field were of course located in Aceh. There was considerable uncertainty about the degree to which

GAM possessed a coherent organizational structure—and even whether the movement was responsible for most of the violent attacks being launched in the province. Although the leaders of GAM’s military wing constantly asserted their loyalty to the leaders in Stockholm, there were doubts about the extent to which those leaders really exercised control over armed units in the field. There were already reports that at least some of the violence in Aceh was being conducted by opportunistic criminal elements who used the GAM name for private profiteering. Indeed, one of the most troubling elements of the Aceh conflict has been the frequent difficulty of identifying which group—the military, the police, GAM, or some other group—was responsible for particular acts of violence. Complicating the picture even further was the presence of a dissident faction of GAM based in Malaysia.

One problem was the physical location of GAM’s leadership

After several false starts, the Indonesian ambassador to the UN in Geneva, Hassan Wirajuda, met Hasan di Tiro in Geneva on January 27, 2000. The two Hassans, having participated in several public debates on the Aceh issue in Europe, already knew each other. According to Hassan Wirajuda, he acknowledged that the government could not crush GAM militarily but pointed out to Hasan di Tiro that GAM had no prospect of defeating the Indonesian military. With both sides conceding that they faced a military stalemate, they decided to have further meetings.²⁵ While the Indonesian ambassador in Geneva maintained contact with the GAM leadership in Europe, Abdurrahman sent the acting state secretary, Bondan Gunawan, to meet GAM’s on-the-ground leaders in Aceh. On March 16, Bondan entered a GAM-dominated area in Aceh where he had a brief informal discussion with GAM’s overall military commander, Abdullah Syafi’ie—the first open contact between a government official and a GAM commander in the field. On his return to Jakarta, Bondan explained that “I only explored what they really want.”²⁶ GAM’s response, however, was cool. A spokesman claimed that Bondan had joined a group of NGO activists for the meeting and that the GAM leaders had not realized a senior government official was among the group.²⁷

GAM had reason to be cool. On January 10, the president had announced that he had ordered the commander in chief of the TNI and the chief of the national police (Kepolisian Republik Indonesia; Polri) to guarantee the safety of Abdullah Syafi’ie so that he could participate in a

discussion with other Acehese leaders to be held in Banda Aceh on January 25.²⁸ On January 16, however, army troops laid siege to Abdullah's headquarters in an isolated part of Pidie with the aim of capturing him.²⁹ Troops again conducted raids in the area in search of Abdullah Syafi'ie during the night following Bondan's visit.³⁰

Despite its lack of confidence in the government, GAM had an immediate interest in participating in negotiations—regardless of the outcome. GAM's aim was to internationalize the issue in the hope that Washington and Europe could be persuaded to put pressure on Indonesia to release Aceh. GAM also saw the negotiations as an opportunity to expose internationally the abuses that were taking place in Aceh. GAM had long sought recognition in the international arena as the legitimate representative of the Acehese people and had endeavored to interest the United Nations and other international bodies in the Aceh conflict. As Abdullah Syafi'ie repeatedly put it: GAM relies only 20 percent on armed struggle but 80 percent on diplomatic struggle.³¹ The most that Hasan di Tiro and other GAM leaders had hitherto been able to achieve, however, was entry into the outermost fringes of the international system via such bodies as the Unrepresented Nations and Peoples Organization (UNPO). Although GAM leaders probably overestimated the importance of the HDC, they believed that participation in negotiations with the Indonesian government, under the auspices of a major international agency in the very heartland of the international system at Geneva, would support GAM's claim to equal footing with the Indonesian government. As a corollary to its aim of gaining international recognition as the legitimate representative of the Acehese, GAM initially opposed the participation of other actors, such as leaders of Acehese civil society, in the negotiation process.³²

The commencement of negotiations with the government might also have strengthened the authority of the GAM leadership in Stockholm over the movement in Aceh. They acquired greater legitimacy in the eyes of many Acehese by virtue of their recognition by the Indonesian government and the various international players. The negotiations also required that the leaders-in-exile establish effective communications with their commanders in Aceh who previously had lacked such basic equipment as fax machines and satellite phones. More broadly, the opening of negotiations also made it necessary for GAM leaders in Aceh to ensure a higher level of coordination between local units that had previously

tended to act independently of each other.

On the other side, manifest disunity characterized the Indonesian government's position. The president and some of his ministers, especially those with NGO backgrounds, were keen to begin talks—confident that a resolution could be achieved without the separation of Aceh from the republic. Their willingness to talk was supported by strong pressure from within Aceh itself and from Jakarta-based Acehnese. Moreover, as the military remained on the political defensive and was highly vulnerable to accusations of human rights abuses, the time was ripe. For Abdurrahman Wahid, too, the prospect of negotiating an agreement on Aceh offered an opportunity to demonstrate his authority over a recalcitrant military. Adopting a conciliatory approach on Aceh also allowed the new Indonesian government to show the world that it was serious about dealing with human rights abuses and civil conflict at a time when its international reputation was seriously damaged by events in East Timor. In these circumstances, President Abdurrahman grasped the opportunity to initiate the process. Although his intervention was marked by his customary clumsiness, there was no doubt that his intentions were genuine.

The president's initiative, however, dismayed many military officers who continued to adhere to the New Order philosophy that the only way to deal with separatists was to crush them militarily. The military spokesman, Major General Sudrajat, and the national police chief, General Roesmanhadi, both said that a military emergency should be declared in the more disturbed districts of Aceh.³³ Already alienated by Abdurrahman's dismissal of General Wiranto from his cabinet following accusations that he was responsible for violence in East Timor—as well as his support for trials of military officers accused of violations in Timor and his accommodating approach to separatists in Papua as well as Aceh—the military was in no mood to support talks with “bandits.”

As a result of this dissension, the Indonesian side went into the negotiation process with deep reservations. From the start, government spokespeople from the president down reiterated that Indonesian sovereignty over Aceh was sacrosanct. Reflecting widespread views in the DPR, its speaker and chairman of Golkar, the second largest party, Akbar Tanjung, welcomed the dialogue provided that it did not touch on “matters of principle, that is, the existence of the unitary state of the Republic of Indonesia.”³⁴ Government spokespeople were adamant that

participation in the negotiations did not constitute formal recognition of GAM as a legitimate actor in the international arena. The most that Foreign Minister Alwi Shihab, a senior leader in the president's own party, the National Awakening Party (Partai Kebangkitan Bangsa; PKB), was prepared to admit was that "we acknowledge GAM as one force present in Aceh that has been disturbing stability in the province and stopping the Acehnese from living normally."³⁵

The talks between the government and GAM focused on ways to reduce the conflict on the ground. But for the government they were also part of a broader strategy involving the provision of "special autonomy," as mandated by the MPR at its session in 1999. In March 2000, the governor of Aceh, Syamsuddin Mahmud, submitted a draft bill to the DPR that promised to give Aceh far more extensive autonomy than the already quite radical 1999 Regional Government Act, which applied to all provinces. The government's aim was to undercut GAM's base of support by addressing at least some of the grievances of the Acehnese people. It was perhaps also hoping to split GAM by enticing Aceh-based sections to abandon Hasan di Tiro and accept a compromise solution. Perhaps aware of this, Abdullah Syafi'ie had insisted to Bondan Gunawan that only Hasan di Tiro, not Abdullah as military commander, had authority to make political commitments.³⁶

The Humanitarian Pause: May 2000

Although the peace talks had been initiated by President Abdurrahman and his own circle of confidants, the negotiations received a cool reception from many in the government and TNI. Thus even though the talks

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resulted in a limited agreement labeled the "Humanitarian Pause," the cease-fire did not rest on firm foundations. The pause was a significant achievement, but it also set a pattern that was to be replicated throughout the following years of the peace process. Agreements reached in negotiations were vulnerable to the divisions and reservations marking both sides.

In Aceh the agreement was not fully accepted by the security forces and violations soon took place. GAM, too, seems to have used the lull in fighting to regroup and consolidate its forces. In the field, neither side behaved as if it believed the cease-fire would last. Eventually clashes became com-

monplace and pressure built up within the military for a new offensive.

After Hassan Wirajuda's meeting with Hasan di Tiro on January 27 and President Abdurrahman's meeting with HDC officials on January 30, the HDC facilitated further unpublicized meetings in Geneva on March 24 and April 14–17 that culminated in the signing on May 12 of a "Joint Understanding on Humanitarian Pause for Aceh." (The government resisted calling it a cease-fire because this term might be seen as constituting recognition of GAM as an equal belligerent.) The agreement came into effect on June 2 and aimed, among other things, to allow for the delivery of humanitarian assistance to the population and to promote "confidence-building measures toward a peaceful solution to the conflict situation in Aceh." Relatively simple mechanisms were established to implement the Humanitarian Pause. In addition to the continuing negotiations taking place through a joint forum in Geneva, the core institution on the ground in Aceh was the Joint Committee on Security Modalities (Komite Bersama Modalitas Keamanan; KBMK). This body was stationed in Banda Aceh (eventually at the Kuala Tripa Hotel) and included representatives appointed by GAM and the Indonesian government. Its tasks included "reduction of tension and cessation of violence," preparation of "ground rules" for the pause, and provision of a "guarantee of the absence of offensive military actions."³⁷ A Joint Committee on Humanitarian Action (Komite Bersama Aksi Kemanusiaan; KBAK) was established to coordinate the distribution of funds for humanitarian, rehabilitation, and development projects that would collectively constitute a kind of "peace dividend" for the Acehnese population. Finally, a Security Modalities Monitoring Team (Tim Monitoring Modalitas Keamanan; TMMK) was established. Consisting of appointees chosen by each side and approved by the other, its task was to evaluate the implementation of the accord and investigate violations of it.³⁸

There was considerable optimism in Aceh at the time of the signing of the Geneva accord and significant goodwill from both sides. Moreover, the process was endorsed by governments and international organizations. The secretary general of the United Nations, Kofi Annan, praised the agreement. The United States and various countries of the European Union followed suit. International agencies, both governmental and nongovernmental, channeled substantial funds toward programs designed to build confidence in the Humanitarian Pause. USAID as well as the Norwegian government, for example, provided considerable fund-

ing to support the committees that oversaw the pause, including money for offices, vehicles, and other basic infrastructure.

In Jakarta, however, the government was sharply criticized because of what was seen as implied recognition of GAM. The speaker of the DPR, Akbar Tanjung, charged: “The House can understand the agreement, but it was not necessary to sign it abroad, and not by an Indonesian ambassador, a high official representing the Indonesian government.”³⁹ Muhaimin Iskandar, a deputy speaker of the DPR representing Abdurrahman Wahid’s PKB, warned that the DPR would reject any agreement made between the government and GAM rather than between two parties both subordinate to the government.⁴⁰ Thirteen scholars at the Indonesian Institute of Sciences (Lembaga Ilmu Pengetahuan Indonesia; LIPI) warned against creating a precedent that might implicitly recognize GAM as an “international actor.”⁴¹ Such concerns were expressed within the military as well. A document produced by the Department of Defense listed among the weaknesses of the agreement that it “positioned AGAM [GAM’s military wing] as on the same level and equal to (*sejajar dan setara*) TNI–Polri” and, with the East Timor experience still fresh in their minds, warned that if the process failed to provide greater security it might “invite international forces to intervene.” The report concluded that the agreement would “not guarantee a reduction in demands for Free Aceh or efforts to internationalize the Aceh problem.”⁴² The coordinating minister of political and security affairs, Lieutenant General (ret.) Surjadi Soedirdja, was no less pessimistic: he warned that if the agreement “falters, we will take them on again. It is only natural to make sure that Aceh will not break away.”⁴³

From the start there were problems within the structures established to organize and monitor the Humanitarian Pause. For one thing, GAM and government representatives were unable to agree on basic issues like the definition of the cease-fire and whether flying GAM flags constituted a breach. Although the government agreed not to launch major offensives or sweeping operations, the major sticking point throughout the entire process was the Indonesian side’s insistence that security forces could still engage in routine patrols and other police functions. Indeed the Joint Understanding document itself stated that one aim was to “ensure the continuing of normal police functions for the enforcement of law and the maintenance of public order, including riot control and prohibition of the movement of civilians with arms.”⁴⁴ The government also

resisted GAM's demands for the cantonment of Brimob and the withdrawal of TNI troops to their barracks.

Soon Indonesian military and political leaders began to criticize the peace process. In addition to concerns about "internationalization," some Indonesian officials also claimed that the Humanitarian Pause was benefiting GAM by legitimating it and sidelining other actors (hence calls for negotiations not just with GAM but with "all components" of Acehese society). Most important, military and police officers on the ground said that by preventing offensive action, the pause enabled GAM to extend its operations. Certainly there were many reports that GAM made use of the lull in hostilities to expand recruitment and training and to collect "taxes" in areas under its control. There were also increasing reports of the emergence into the open throughout much of rural Aceh of a GAM shadow civil administration that was assuming many local government functions (registration of land sales and marriages and the like) in the vacuum created by the paralysis of institutions of the Indonesian state.⁴⁵

The criticisms from human rights NGOs in Aceh, from student and youth groups, and from figures associated with GAM were the reverse of this. Unanimously they thought the process was too weak. Most fatally, they believed that the committee structures lacked any authority to enforce the Humanitarian Pause or punish those responsible for violating it.⁴⁶ Such groups called repeatedly for a beefed-up international role in the mediation process—preferably involving some form of UN presence—in order to monitor, enforce, and punish violations of the pause. Indonesian government and military spokespersons, by contrast, argued that the Aceh conflict was purely a domestic affair. Blaming UN perfidy for the recent loss of East Timor, many were especially hostile to the idea of UN involvement.

Almost as soon as the Humanitarian Pause started there were reports of clashes between Indonesian security forces (usually Brimob) and GAM combatants. Typically these clashes would take place when Brimob troops made "routine patrols" through rural areas known to be controlled by GAM. According to one member of the monitoring team established as part of the pause process, from a relatively early phase ordinary soldiers and officers stationed in conflict zones would openly tell team members that the pause was "generals' business" (*urusan jenderal*) and had nothing to do with them.⁴⁷ The police continued to pursue their Cinta Meunasah (Love the Village Mosque) operation, which

aimed to restore security and disarm “civilians” in the territory. Although GAM launched attacks on the military and police, its leaders generally claimed (when admitting to attacks) that these were in self-defense. Nevertheless, the introduction of the pause was followed by a noticeable decline in violence. During its first three months, some sixty-nine civilians and fourteen members of the security forces were killed in Aceh,⁴⁸ a considerable drop compared to around 300 during the first four months of the year.⁴⁹

Violence escalated seriously in late August and early September 2000, however, as the initial three-month phase of the Humanitarian Pause drew to an end. Both sides delayed initiating dialogue in Geneva for a resumption of the pause, and senior government ministers publicly floated the possibility that it might not be extended at all. Local military commanders suggested that if the pause failed, then a civil emergency could be declared and military operations would escalate. Two days before it was due to expire, Foreign Minister Alwi Shihab stated that the government was willing to extend the Humanitarian Pause, but only if GAM agreed to certain conditions (such as ending attacks on security forces).⁵⁰ On the very day of its expiration, President Abdurrahman approved a further extension until January 15, 2001, with the foreign minister announcing there would be no further extension thereafter.

During the latter part of 2000 the formal continuation of the Humanitarian Pause bore less and less relation to conditions on the ground. Reports of armed clashes, disappearances, summary executions, and other forms of violence increased. In mid-November, troops fired on groups of civilians who were attempting to make their way to Banda Aceh

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to attend a pro-referendum rally organized by SIRA. The Aceh branch of the National Human Rights Commission said that thirty were killed.⁵¹ While most victims were casualties of military and police actions, some were killed by GAM. There was much speculation that the top GAM leadership was

unable to exercise full control over its forces in the field. Similar claims were made about rogue TNI and police units carrying out operations on their own initiative. And there was talk that some of the violence was due to “third forces”—bandits, smugglers, military deserters, and so on—who benefited financially from continuing violence. The deterioration of secu-

rity also prevented the various Humanitarian Pause committees from carrying out their functions—impeding monitoring efforts and the flow of humanitarian assistance. On March 30, 2001, Teungku Kamal, a member of the TMMK for South Aceh, was killed along with his driver and a human rights lawyer.⁵² Military spokespersons and other hard-liners like Defense Minister Mahfud Mohammad frequently predicted that open military operations would be launched if the talks did not produce results.⁵³ The government said that future talks would involve the entire Acehnese community, not just GAM. Meanwhile GAM and civil society groups increased their calls for international parties to intervene and verify who was violating the agreements.

Indeed the situation deteriorated to such an extent that in the first half of 2001 most of the major international agencies found it impossible to function (or at least to carry out program work in the field). Since mid-2000, assassinations had become common. On December 6, for instance, three volunteers from Rehabilitation Action for Torture Victims in Aceh (RATA), an NGO funded by the Danish government, were murdered. According to the testimony of one volunteer who escaped, the military officers who committed the killings accused their victims not only of sympathy for GAM but also providing information on violations of the Humanitarian Pause to observers.⁵⁴ Other assassinations, especially of members of regional legislative assemblies, were blamed on GAM. Amid reports of intimidation directly aimed at international humanitarian workers, such organizations as Oxfam, USAID, Médecins Sans Frontières, and Save the Children all drastically scaled back program activities in the territory, in most cases closing offices or pulling out staff. The United Nations Development Program (UNDP), which had managed the major trust fund set up to provide humanitarian aid and operational support for the peace process, was forced to close its operations in Aceh after the Indonesian government failed to extend its contract.⁵⁵

Nevertheless, the formal dialogue process continued. Although GAM had boycotted a meeting on November 16–18 in protest against military violence, a new round of talks was held on January 6–10, 2001. This meeting of the joint forum in Switzerland produced a further agreement that the HDC would facilitate talks on substantive issues to “seek a formula for a lasting and comprehensive solution to the conflict in Aceh.” The four broad areas to be covered by such discussions were human rights and humanitarian law, socioeconomic development, secu-

rity arrangements, and, most remarkably, “democratic processes.” Listed under this last heading were items like “democratic consultations,” “free and fair elections for Aceh government,” “conditions under which GAM and supporters of independence may participate fully in the political process,” and “conditions under which GAM would transform their means of achieving their political objectives in a democratic way.”⁵⁶ For the first time, even though government and GAM spokespeople continued to insist their claims of sovereignty were nonnegotiable, there was a hint of a real breakthrough.

There was much speculation about what this agreement might mean—including the possibility that GAM might transform itself into a political party in the context of a radically restructured political framework within Aceh. In this view, GAM might participate in local elections at least as an interim solution. This process was also viewed by at least some in the government as converging with the continuing debate over the draft Special Autonomy Law in the DPR. Local and central government officials said the law would be an important way to respond to Acehese grievances and encourage compromise from GAM.⁵⁷ Acehese members of the DPR encouraged this view. Some welcomed the concept of GAM participation in local elections and suggested that Hasan di Tiro would be an appropriate candidate as first figurehead *wali nanggroe* (head of state) of Aceh under the new arrangements.

The Humanitarian Pause was extended for a further month in January, though now it was called a “moratorium.” Despite severe violence on the ground, talks continued during February and March, resulting in agreement to extend the moratorium “indefinitely” and to rename it as “peace through dialogue” (*damai melalui dialog*). In what appeared to be a promising development, four meetings took place in February and March between GAM and Indonesian security commanders in Aceh itself. They agreed on a four-point code of conduct and decided to establish “zones of peace” in North Aceh and Bireuen. None of these agreements, however, had any effect in stopping violence in the field.

The Renewed Military Offensive: April 2001

Though the continuing dialogue in Switzerland and the otherworldly atmosphere of Banda Aceh’s Kuala Tripa Hotel gave a tantalizing hint of an eventual solution, they increasingly bore no relationship to the situation in the field or to the rhetoric emanating from Jakarta and

from GAM field commanders. In 2001, the dialogue on Aceh was being overwhelmed by the unfolding presidential crisis in Jakarta. As the opposition to Abdurrahman Wahid's presidency mounted, he desperately reached out for potential allies wherever he could find them—including the military (ICG 2001b; 2001c). In his personal fight for political survival, the fate of Aceh was far from his mind. Thus the military and others who thought Abdurrahman had gone too far in accommodating GAM now saw an opportunity to regain control of Aceh policymaking.

The signs that a change of approach was imminent became increasingly clear. As the January round of negotiations went forward, military spokespersons announced that the number of army and police troops in Aceh was being increased to 30,000.⁵⁸ Prior to the February talks, Indonesian officials, including the new coordinating minister for political and security affairs, General (ret.) Susilo Bambang Yudhoyono, who had been seen as a strong supporter of the negotiations, flagged an end to HDC involvement in the process. In late February, as talks between field commanders were going ahead in Banda Aceh, Defense Minister Mahfud announced that the government had had enough of talks: "After we hold talks, their aspirations are still to separate from Indonesia, and if that remains so by next week we will prepare tougher actions."⁵⁹ In March the cabinet officially pronounced GAM to be "separatist"—a move correctly interpreted by all parties as presaging a renewed military assault. Meanwhile GAM itself adopted a more combative stance by increasing the tempo of assaults on military and police posts, especially around the ExxonMobil Arun gasfields in North Aceh, leading to the closure of the plant in March.

The suspension of the ExxonMobil operations especially alarmed the United States—the home of ExxonMobil—and Japan and South Korea, the major importers of natural gas produced by the plant. The enforced closure of a major export-earning industrial project not only increased the nervousness of foreign investors in general but also had immediate implications for the Indonesian economy. Although the government quickly blamed GAM, an alternative explanation suggested that military elements themselves may have been responsible for threats to ExxonMobil as a means of convincing the United States that its assets were endangered and thus win American approval for renewed military action (ICG 2001a: 8).

At the end of March the DPR gave full support to operations to “restore security.” In late April the government again offered to continue talks and proposed Tokyo as the site. Bambang Yudhoyono proposed three conditions: GAM must “really want a dialogue” and be prepared to discuss substantial political issues; it had to stop violent actions; and ExxonMobil and “vital objects” should not be continuously disturbed.⁶⁰ GAM then imposed its own condition: all “nonorganic troops” (that is, troops from outside Aceh) should be withdrawn. The government, however, had been bringing Kostrad and other troops into Aceh in preparation for an offensive.⁶¹

Marking the formal commencement of a new approach, on April 11 the beleaguered president signed a Presidential Instruction (Inpres 4/2001) on Comprehensive Measures to Resolve the Aceh Problem. Reflecting the thinking of General Yudhoyono, the instruction provided for broad policies in six fields: political; economic; social; legal and public order; security; and information and communications. Yudhoyono (2001: 16) argued that “it is clearly wrong to view the Aceh problem purely from a security point of view and it is extremely dangerous to give priority to military methods. That is why we have developed comprehensive measures.” But in the absence of effective government control in much of Aceh, in fact it was mainly security measures that were implemented.⁶²

The months following the presidential instruction saw an almost complete breakdown of security conditions in Aceh. As the TNI launched a series of attacks on GAM bases, local human rights groups reported that conditions were now worse than during the height of the notorious DOM period. According to the human rights organization Kontras, 539 people were killed in 193 clashes between April and August 2001 compared to 256 killed in 79 clashes between January and April (moreover local human rights activists now suggested that many villagers no longer reported deaths to the police or media).⁶³ Although most of the violence was publicly attributed to ubiquitous “unknown persons,” it was clear that the majority of those killed were victims of operations carried out by the security forces. Indeed, Indonesian forces appeared less concerned than ever about concealing their involvement in the killing of civilians.⁶⁴ Meanwhile GAM increased its operations against the Indonesian forces and civilians considered to be supporting Jakarta.

The peace process seemed to have come to an end when, following another meeting in Geneva on June 30–July 1, the chief government

negotiator, Hassan Wirajuda, announced on July 5 that the government had “frozen” the KBMK. Hassan explained: “We . . . demanded that GAM publicly announce that they would guarantee the security of ExxonMobil Oil Indonesia, but they could not see their way to meeting this request.” Indonesia also wanted the GAM military commander, Abdullah Syafi’ie, to participate personally in the local security dialogue. When local talks between the two sides at the Kuala Tripa Hotel in Banda Aceh on July 16–18 produced no agreement, local police, claiming that security guarantees were no longer valid following the “freezing” of the KBMK, immediately arrested the six members of the GAM negotiating team. The arrests took place on Friday, July 20, the eve of the special session of the MPR called to impeach President Abdurrahman.⁶⁵ Although the six were charged with *makar* (rebellion), all but one, who was additionally accused of a passport offence, were later released.⁶⁶ It was not clear whether the local police were acting independently or on orders from Jakarta.

The accession of Vice-President Megawati Sukarnoputri to the presidency did not raise hopes of an early resumption of the peace talks. Megawati’s rhetoric as vice-president had placed her closer to the generals than to Abdurrahman. As president she announced a list of six national goals—and the maintenance of national unity was placed in top position. Although in her unsuccessful presidential election campaign in 1999 she had promised, referring to Aceh, that “I will not allow one drop of the people’s blood to touch the earth in a land that gave great service in achieving a Free Indonesia,”⁶⁷ she showed no signs of condemning the military campaign launched several months earlier. Her promise to take legal action against violations of human rights “outside the battlefield” seemed to imply immunity for violations committed during military operations.⁶⁸ Although Megawati and other senior officials, including Hassan Wirajuda who had been appointed as the new foreign minister, stated that the government remained committed to dialogue as the chief means for resolving the conflict, other ministers, such as the new minister for home affairs, Lieutenant General (ret.) Hari Sabarno, declared that dialogue with GAM was no longer possible. In November, Bambang Yudhoyono reaffirmed that there would be “no

*Megawati announced a
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with national unity
placed at the top*

more compromise with separatism” and no more dialogue with GAM.⁶⁹

In this environment, military commanders became more confident and belligerent. Increasingly they employed the blunt security language of the past. The Kostrad commander, for example, Lieutenant General Ryamizard Ryacudu, complained: “For two years we [the military] have been pushed around all the time and have not been able to move. It is as if our feet are tied but GAM’s are not and our men are slaughtered and killed. . . . In any country those who are terrorists or armed insurgents will be eliminated. How can we make peace with them? Two offers of peace are enough. How could we offer peace three times? If they don’t want peace, that’s enough. . . . How can we negotiate a thousand times?”⁷⁰

The military offensive inflicted increased casualties on GAM and forced many of its fighters to withdraw into remote areas in the interior. In July 2002, the Aceh regional army commander claimed that 947 “suspected” GAM members had been killed since the launch of the military offensive in May 2001.⁷¹ Casualties among civilians increased, too, particularly among people accused of being associated with GAM. But GAM continued to be a significant fighting force. In the first year of the offensive, 75 Indonesian soldiers were killed and another 136 wounded.⁷²

The Special Autonomy (NAD) Law

The government’s strategy, however, was not limited to its military campaign. The military offensive was accompanied by the bait of “special autonomy,” which the government hoped would win over public opinion in Aceh. Instead of continuing what it saw as a fruitless dialogue with GAM, the government opted for unilateral concessions in the form of the law on Nanggroe Aceh Darussalam (NAD—the Acehese term for the province). If GAM wished to return to talks with the government, it would have to be on the basis of the new Special Autonomy Law.

In 1999 the MPR had required the DPR to adopt laws on “special autonomy” for Aceh and Papua by May 1, 2001. After a drawn-out process of negotiations between the provincial government, Acehese members of the DPR, the Department of Home Affairs, and the DPR as a whole, the DPR failed to meet its May deadline. Nevertheless the NAD law was finally passed on July 19—coincidentally a few days before Abdurrahman’s fall—and signed by the new president, Megawati, on August 9.

Unlike the general regional autonomy laws of 1999 that weakened the provincial governments by devolving powers primarily to more than three hundred districts throughout Indonesia, the NAD law preserved the province as the regional focus of authority. In an attempt to ameliorate resentment against central “exploitation” of Aceh’s natural resources, the law provided for the return of 80 percent of petroleum and natural gas revenues to the province in contrast to only 15 percent of petroleum revenue and 30 percent of natural gas revenue granted to other regions (except Papua). The law also provided for the direct election of the governor and the district heads (*bupati* and *walikota*) in contrast to the indirect elections through regional assemblies applying in other regions, although, in the case of the governor, only five years after adoption of the law. On security matters, the governor was given authority to veto the appointment of the regional chief of police, who is obliged to coordinate security policy with the governor, while the recruitment of police would take account of “local law, culture, and custom.” The governor was also given the authority to reject the regional head of the prosecutor’s office. The law also gave the Aceh government the authority to implement Islamic law in the province—a right not given to any other region. Finally, the law provided for a symbolic head of state, the *wali nanggroe* (the same phrase used by GAM to refer to Hasan di Tiro), and a deliberative council of community leaders, the Tuha Nanggroe, as a symbol of culture and custom.

Some of the Acehnese legislators and intellectuals involved in the drafting process viewed elements of the law as means to accommodate GAM. Some said that Hasan di Tiro might be persuaded to become the first Wali Nanggroe. Teuku Syaiful Achmad (a PAN member of the DPR) explained: “We’ve held numerous informal dialogues with GAM’s military wing.”⁷³ But the government, in the form of the Department of Home Affairs, had also insisted upon provisions that seemed deliberately designed to exclude GAM from the political process in Aceh. The law states clearly that one of the regional parliament’s obligations is to “defend and preserve the unity of the Unitary State of the Republic of Indonesia.” This wording is presumably designed as a safeguard against the eventuality that local elections might one day produce an independence-inclined legislature. Among the qualifications required of candidates for the positions of governor and deputy governor, two are especially relevant here: they should “never have been involved in treacherous activi-

ties against the Unitary State of the Republic of Indonesia” and they should never have been citizens of other countries. In the eyes of the government, of course, GAM members had been involved in treacherous activities and several of the exiled GAM leaders, including Hasan di Tiro, had become citizens of Sweden or other foreign countries.

The Special Autonomy Law was hardly sufficient to persuade GAM and its supporters to give up their struggle. Nor did it deal with many of the root causes of Acehese alienation from Jakarta. Despite its significant financial concessions, the law seemed to entrench the incumbent Golkar-led political elite, regarded as totally corrupt by many Acehese. The political arrangements envisaged by the law did not affect separate national election laws, which made no allowance for regional political parties and therefore prevented GAM supporters from forming a political party to contest the promised elections. Nor did the law deal with the large military presence in the province and the issue of past human rights abuses perpetrated by the military and police. Some figures in the national government, however, did not regard the NAD law as final but rather as a framework for further negotiations. If GAM had been willing to abandon its independence goal, it is likely that the government would have been prepared to amend the law.

Renewed Talks: 2002

Government officials now believed that developments during 2001 had strengthened their position. Certainly the military offensive had inflicted substantial losses on GAM and forced it to withdraw from some areas where it had set up *de facto* village administrations.⁷⁴ The NAD law was a concrete concession that the government expected would address key grievances of the people of Aceh and thus undermine GAM’s support. But the benefits flowing from the NAD law would not be felt fully so long as the military conflict continued. The government’s strategy, therefore, was to continue offensive military operations in the expectation that a demoralized GAM could eventually accept “reality” and engage in serious negotiations on the government’s terms. Accordingly 2002 was characterized by continued military operations, the reopening of negotiations, and increasingly insistent demands from Jakarta that GAM had to accept autonomy within the “unitary state” for the peace process to survive.

Despite the military campaign and the negative statements of government and military leaders, the apparatus of the peace process, includ-

ing the secretariat at the Kuala Tripa Hotel and the monitoring teams, remained in place—indicating that the government was still open to the renewal of talks. The HDC meanwhile continued its efforts to revive the process and was supported in this endeavor by various foreign governments. Through 2001 and 2002 ambassadors of the United States and several EU countries made well-publicized visits to Aceh, urging the two sides to continue negotiations. In May 2001, for instance, just days before President Abdurrahman signed Presidential Instruction 4 allowing for the military offensive, U.S. Ambassador Robert Gelbard visited Aceh and declared that “only dialogue” could lead to a resolution of the conflict.⁷⁵ International support was shown again in the middle of 2001 when the HDC formed a team of “wise men” consisting of retired dignitaries whose international stature could reinforce its work. Eventually the Indonesian government, now headed by President Megawati, approved the proposal and permitted the “wise men” to participate in new talks as mediators—on the understanding that they were not regarded as representing their countries. They were retired U.S. Marine General Anthony Zinni, former Thai Foreign Minister Surin Pitsuwan, and the former Yugoslav ambassador to Indonesia, Budimir Loncar. Later they were joined by a former Swedish diplomat, Bengt Soderberg. Lord Avebury from Britain was not formally a member of the group but worked with them.⁷⁶ The presence of high-profile international mediators made it easier to persuade GAM to resume the talks.

Believing that it now had the upper hand, the government explored the possibility of reopening talks. For GAM there were two key conditions: continued international involvement and insistence that talks take place outside Indonesia. Senior officials, however, now argued that the conflict was a domestic matter that should be resolved in Indonesia itself. The home affairs minister, Hari Sabarno, even said that talks with GAM should be conducted not by the government of Indonesia but by the provincial government of Aceh. Following this line, the Aceh governor, Abdullah Puteh, sent a note to the GAM commander, Abdullah Syafi’ie, proposing province-level talks, but this suggestion was rejected on the usual ground that political issues were handled by the GAM leadership in Sweden. Three days later, on January 22, 2002, troops surrounded Abdullah Syafi’ie’s home and killed him, his wife, and several bodyguards. The killing of Syafi’ie, whose whereabouts had apparently been confirmed during the governor’s approach, may have been intended to

demonstrate that the government's forces could eliminate senior GAM leaders at will, but it hardly assured GAM of the government's goodwill. More likely, it simply demonstrated the lack of coordination between the military and civilian administrators and may even have been a deliberate move by elements in the military to sabotage the peace process.

GAM's options were limited and within a week it had agreed to new talks in Geneva.⁷⁷ The talks were held on February 2–3, 2002, after a gap of seven months. This time the Indonesian delegation was headed by Sastrohandoyo Wiryono, a retired diplomat who had served as Indonesia's ambassador to France and Australia and had also played a major role in mediating the 1996 "autonomy" agreement in the Philippines between the government and the Moro National Liberation Front. The talks, now in the presence of the international "wise men," were exploratory and did not result in a joint statement. But a summary of "Points for Further Consultation" prepared by the HDC noted that although GAM did not accept the NAD law as such, it had accepted it as a "starting point" for further discussions.

A new round of talks was scheduled for April 25–26 but was delayed when GAM demanded an internationally supervised cease-fire as a precondition. As the Indonesian strategy required increasing military pressure on GAM and aimed to minimize international involvement, Jakarta rejected the demand. GAM soon dropped its precondition and talks were held in Geneva, on May 8–9, again attended by the "wise men." The meeting resulted in a joint statement containing two points. First: "On the basis of the acceptance of the NAD law as a starting point," the HDC would facilitate "a democratic all-inclusive dialogue involving all elements of Acehese society." This process would "review elements of the NAD law" and "lead to the election of a democratic government in Aceh, Indonesia [*sic*]." Second: because such a dialogue could not take place amid military clashes, "both parties agree to work with all speed on an agreement on cessation of hostilities with an adequate mechanism for accountability." A cessation of hostilities would also permit the provision of "much needed socioeconomic and humanitarian assistance."⁷⁸

Despite the apparent breakthrough signaled by GAM's acceptance of the NAD law as a "starting point," the statement was greeted with caution. Within days the GAM leadership in Sweden released a statement stressing that the movement "has always maintained that it will never give up the struggle for independence. . . . There is a limit to our will-

ingness in that we will never accept NAD or any other form of settlement that is not compatible with the aspiration of the Acehese people who have sacrificed so many lives and suffered so much hardship for so long in their struggle for independence.”⁷⁹ The Indonesian negotiator, Wiryono, pointed out that the statement itself was not an agreement on “cessation of hostilities,” let alone disarmament, but only a promise to work toward a cessation of hostilities.⁸⁰ Foreign Minister Hassan Wirajuda welcomed the statement but warned that GAM’s acceptance of the NAD law only as a “starting point” was not sufficient.⁸¹ The fundamental difference was symbolized by the reference to “Acheh, Indonesia”—with GAM rejecting the current Indonesian spelling of the territory’s name and the Indonesian side demanding the inclusion of the word “Indonesia.”

Like the “Humanitarian Pause” the previous year, the sentiments expressed in Geneva did not guide behavior on the ground. The Aceh regional commander, Major General Djali Yusuf, stated that military operations would continue until he received instructions to stop them.⁸² Violence persisted unabated—human rights groups claiming that in the latter part of the month nineteen people had been found murdered.⁸³ Meanwhile, senior military officers now openly indicated their opposition to continuing talks with GAM. The army chief of staff, General Ryamizard Ryacudu, declared: “Dialogue for a thousand years hasn’t brought results.”⁸⁴ When General Yudhoyono told General Zinni that talks would continue, Ryamizard responded: “Fundamentally, there is no dialogue.”⁸⁵ The TNI commander in chief’s public comments were only slightly more moderate. General Endriartono Sutarto said that dialogue is not the business of the army but of the government. “If the government wants to hold a dialogue, go ahead,” he declared, but there must be a time limit.⁸⁶ The regional army commander denounced the HDC, which in its preparations for the “all-inclusive dialogue” had held discussions with local NGOs. “What business does HDC have in calling NGOs to its secretariat?” he asked. The provincial police chief, Inspector General Yusuf Manggabarani, even suggested that HDC personnel might be spies.⁸⁷ Instead of dialogue, military leaders called for the imposition of emergency rule.⁸⁸

*Instead of dialogue,
military leaders called
for emergency rule*

Even Bambang Yudhoyono, the main government leader supporting the dialogue process, dismissed the opposition of the governor and the Aceh provincial parliament to emergency rule: “Their stance is against the demands of most Acehnese people who have urged us to restore security in the region. . . . They told me they are tired of GAM, and urged the government to bring peace to their area.”⁸⁹ Following the lack of progress after the Geneva talks in May, Yudhoyono adopted an even stronger line. He had been the main author of the series of presidential instructions emphasizing “comprehensive measures.” But this policy had failed to resolve the conflict partly because only its military prong had been implemented. Now he was under pressure not only from his military colleagues but also from sections of the national parliament to take “resolute” action against GAM. In June Yudhoyono ordered that security operations should be intensified and described GAM as a “terrorist organization,” presumably hoping that the United States would place GAM on its list of terrorist organizations.

The Government’s Ultimatum

The government’s resort to increased military pressure was still intended to force GAM to accept a negotiated resolution, and Yudhoyono was in fact resisting pressure from military hard-liners to introduce martial law. On August 19, Yudhoyono announced the government’s “final offer.” It would give GAM until the end of the month of Ramadan (which in 2002 fell on December 6) to continue the dialogue “within the framework of special autonomy and the cessation of hostilities.” If GAM did not respond positively, the government would take “tough and appropriate” measures, including “the intensification of operations to restore security and defend the sovereignty and unity of the Republic of Indonesia.”⁹⁰

Intensive contacts between the two sides via the HDC continued during the next few months. By early November the government had accepted eleven revisions to the draft agreement, but the GAM leaders in Sweden still hesitated. At this time the HDC arranged for a group of six prominent Acehnese civil society leaders, led by the chairman of the provincial Muhammadiyah, Imam Suja’, to meet the GAM leaders in Geneva. Imam Suja’s mission is widely seen as having persuaded the GAM leaders to continue negotiations. Imam Suja’ emphasized that it was the people of Aceh, rather than GAM itself, who would suffer most if peace was not achieved—with the implication that GAM might lose public sympathy if it were seen as obstructing a peace agreement.

Imam Suja's argument seems to have had some impact on the GAM leaders, but during November they continued to hold out on two key issues. The first involved disarmament of GAM in the form of the "storage" of its weapons. The proposal was that GAM should hand over its weapons to a "third party" for storage at ten locations designated by GAM. Each storage center would have two keys—one held by GAM and the other by the third party—and the storage center would be guarded by troops from GAM and the third party.⁹¹ This prospect caused GAM much concern. As its chief negotiator, Zaini Abdullah, said: "This means that the Acehese State Army or GAM will surrender. . . . Arms are GAM's secret key."⁹² The second issue was the role of the police—particularly the paramilitary Brimob, which was seen by GAM and many ordinary Acehese as a main perpetrator of human rights abuses. According to Imam Suja', GAM leaders were worried that their members might be hunted down during the cease-fire. GAM demanded that Brimob be withdrawn from the province; the government proposed that its duties be changed from those of a paramilitary force to ordinary police functions and that it no longer be armed with military weapons.

While GAM was debating the details of the draft agreement, the military increased the pressure on the ground. On October 28, some 1,200 to 1,400 troops, including Kostrad and Kopassus forces,⁹³ surrounded an area in North Aceh used by GAM as a camp. The camp was located in a marsh—about 8 kilometers long and 2 kilometers wide—near the village of Cot Trieng. It seems that the TNI believed that GAM's new military commander, Muzakkir Manaf, was at the camp with several dozen troops. On November 4—the beginning of Ramadan—GAM declared a unilateral cease-fire but General Endriartono warned that "if the peace agreement is not signed by the deadline, yes, we will attack."⁹⁴ Ryamizard declared: "If they don't surrender, I will order my men to finish things."⁹⁵ GAM responded by threatening that "if the troops are not withdrawn, GAM will react in other areas throughout Aceh."⁹⁶ In fact, military troops conducted sieges of GAM bases in other areas. However, it was widely believed that the GAM forces allegedly surrounded at Cot Trieng gradually slipped away. When the siege was finally lifted, GAM soldiers were nowhere to be seen.

Meanwhile the international community had stepped in. Japan, the United States, the European Union, and the World Bank cosponsored a Preparatory Meeting on Peace and Reconstruction in Aceh that was

attended by thirty-eight countries in Tokyo on December 3. Not only did the meeting agree to provide support for humanitarian programs and rehabilitation if an agreement were signed, but Australia and Canada committed funds to support the monitoring of the agreement while Norway, Sweden, and the United States would continue to support the HDC.

As the apparent siege at Cot Trieng continued, the HDC announced that both sides were ready to sign an agreement on December 9 (a few days after the end of Ramadan). Feeling pressed by Indonesia's ultimatum, Zaini Abdullah said that GAM had agreed only to "a further meeting" on December 9. A few days later, however, he said that GAM would be willing to sign provided outstanding issues were resolved.⁹⁷ The Indonesian military offensive had inflicted losses on GAM, but the series of Indonesian ultimatums also reportedly greatly antagonized the GAM leadership. In the end, rather than risk a larger depletion of its military resources, GAM agreed to the "cessation of hostilities" in December 2002. Although the agreement saved GAM from further battering, in fact it brought the movement no closer to its ultimate goal.

The Agreement

The Cessation of Hostilities Framework Agreement (COHA) was finally signed, as planned, on December 9, 2002. The agreement was only the first stage in a confidence-building process, however, and did not attempt to resolve the crucial issues dividing the two sides. Only after hostilities had been reduced would it be possible to move on to the next stage in the process—the all-inclusive dialogue—at which substantive issues would be addressed.

The cessation of hostilities involved two major demilitarization measures. GAM agreed to designate "placement sites" where "its weapons, arms, and ordinance" would be gradually placed during a five-month period beginning two months after the signing of the agreement. (In an explanatory note attached to the agreement, the HDC explained that it understood that "GAM will not be able to move the weapons that have been placed in the designated sites without the consent of HDC" and "GAM has to comply with the request of HDC to conduct no-notice inspections at any time.") On the Indonesian side, the government agreed to "a simultaneous phased relocation of TNI forces which will reformulate their mandate from a strike force to a defensive force." In addition, "the mandate and mis-

sion of Brimob will be reformulated to strictly conform to regular police activities and as such will no longer initiate offensive actions against members of GAM not in contravention of the agreement.”

The agreement provided for the reactivation of the Joint Security Committee (JSC) that was established during the Humanitarian Pause. The JSC would consist of up to five representatives each of the government, GAM, and the “third party” (HDC). The JSC’s functions included overall implementation of the agreement, monitoring the security situation, investigating security violations, determining sanctions to be applied to violations, and designing and implementing a mutually agreed process of demilitarization. But the first task of the JSC would be to establish “peace zones” in areas where conflict had been severe and thus facilitate humanitarian aid. In the case of violations, the JSC’s role was limited to recommending sanctions that would be imposed by the two sides on their own personnel.

In a major concession, the government agreed to the presence of international monitors. The JSC would be assisted by a monitoring team (or teams) consisting of representatives of the security forces of the government and GAM together with a “senior third-party military officer agreed upon by both sides.” In a separate agreement it was decided to ask Thailand and the Philippines to provide monitors who would not represent their countries but serve as individuals responsible to the HDC. A Thai military officer, Major General Tanongsuk Tuvinun, was appointed to chair the JSC with Brigadier General Nogomora Lomodag of the Philippines as his deputy. Fifty HDC monitors would work in teams alongside fifty monitors each from the Indonesian security forces and GAM. The HDC would provide necessary funds and logistical and administrative facilities.⁹⁸ The agreement also provided for the establishment of a Joint Council consisting of “the most senior representatives” of the government, GAM, and the HDC to resolve disputes arising from implementation of the agreement. The members of the council were Susilo Bambang Yudhoyono representing the Indonesian government, Malik Mahmud representing GAM, and Martin Griffiths, director of the HDC.

The next phase in the process would be the holding of an “all-inclusive dialogue” after “the necessary security and freedom of movement for all participants” had been established.⁹⁹ The all-inclusive dialogue “will seek to review elements of the NAD law.” Both the government and GAM “agree to a process which leads to an election in 2004 and the sub-

sequent establishment of a democratically elected government in Aceh, Indonesia.” The government would “ensure” and GAM would “support” “a free and fair electoral process.”

As its title indicates, this was a framework agreement that left many issues unresolved. Although GAM had accepted the NAD law as a “starting point,” the negotiations did not produce an explicit common understanding about what this meant. Nor was there agreement on the nature of “the election of a democratic government in Aceh, Indonesia.” The specific implementation of the “cessation of hostilities,” as we shall see, was another issue open to wide differences in interpretation. The agreement envisaged that demilitarization would begin after a confidence-building phase of two months. (The Indonesian side had initially wanted one month.) Demilitarization, therefore, was due to begin on February 9, 2003, and according to the agreement would be completed five months later on July 9.

Heading Toward Breakdown

The announcement of the agreement was greeted with much popular enthusiasm in Aceh, as well as in Jakarta and even internationally. TNI and GAM commanders immediately ordered their troops to cease offensive actions, and leaders of both groups made highly optimistic statements about the prospects for peace. GAM leaders attended some well-publicized meetings with Indonesian officials designed to “socialize” the agreement. Government officials, and some military officers, warmly praised GAM’s willingness to sign the peace agreement and called them “brothers.”¹⁰⁰ After all, ordinary citizens in Aceh were highly supportive of the agreement. Thanksgiving prayer meetings were held in mosques throughout Aceh, and people could go about their daily business in ways that had been impossible when fighting and military sweeps were routine. Despite the agreement, isolated clashes continued to occur. The number of casualties, however, dropped drastically. According to the HDC, during the first two months after the agreement the average number of civilians killed per month had dropped to 12 compared to 87 before the pact. Only 9 members of GAM were killed compared to 102 per month and only 4 members of TNI/Polri compared to 45 per month before the agreement.¹⁰¹ The new atmosphere permitted the establishment of the “peace zones” mentioned in the agreement. The first zone was inaugurated on January 27, 2003, at Indrapuri, a subdistrict about 24 kilometers from Banda

Aceh with fifty-two villages and a population of 16,500.¹⁰² Members of both the military/police and GAM were permitted to enter the peace zones but were not allowed to carry arms. In February and March ten further subdistricts were designated as peace zones.

Despite the relative peace on the ground, there were many worrying signs. Within a week of the agreement being signed each side was accusing the other of major violations. Senior military officers on the Indonesian side publicly indicated their displeasure with the agreement. As usual, the most outspoken was Army Chief of Staff Ryamizard, who during the agreement's first week made a series of statements declaring that TNI's duty remained

Within a week, each side was accusing the other of major violations

unchanged: "We will take firm action against all rebels in this country. . . GAM's weapons must be taken away from them. If all people can carry weapons any old how and we are not allowed to arrest them, then what has happened to law enforcement in this country?"¹⁰³ He also ridiculed the idea that TNI be asked to withdraw or disarm. Aceh is part of Indonesia, he argued: "If one million soldiers are there, there is no use questioning it. The place for the soldiers is right there."¹⁰⁴

No less ominous, the atmosphere in the talks between the two sides soon deteriorated. Within days of the signing of the agreement, leaders on both sides were putting forward conflicting interpretations of what was expected in the forthcoming "election in 2004." For Indonesia, the election was the five-yearly election due in Indonesia in 2004 to elect the president and the national and regional legislatures. So far as Aceh was concerned, Bambang Yudhoyono explained, this means "the election of the governor, the election of *bupatis*, the mayors, and the DPRD." Crucially, he explained, the phrases *local elections* and *local parties* were "not known in Indonesia." He thus ruled out GAM transforming itself into a contestant for political power at the local level. GAM's perception of the election was very different. According to Zaini Abdullah: "The election that is intended is a special election in Aceh. Not a national election like that in Indonesia. This election is to elect the leaders of the Acehnese nation."¹⁰⁵ And Zaini believed they would then opt for independence.

The government, echoing claims it had made at the time of the Humanitarian Pause, also accused GAM of using the cease-fire to consolidate its forces and conduct a political campaign for independence.

Bambang Yudhoyono claimed that GAM was holding public rallies and “shows of force” in which it provided “inaccurate information” and “propaganda conflicting with the spirit of the agreement.” Among other things, he alleged that GAM was claiming that the final goal of the peace process was to achieve independence for Aceh, that the all-inclusive dialogue would take the form of a referendum, and that UN forces would replace the army and the police.¹⁰⁶ This behavior, he said, violated the agreement that committed both sides “to exercise the utmost restraint by not making any public statement that would inflame the feeling and sentiment of the other side.”¹⁰⁷ The agreement, however, had not specifically required GAM to stop campaigning peacefully for independence.

The government also accused GAM of rebuilding its governmental structure. On January 25, for example, GAM held a ceremony to install a new military commander and a governor in the district of Pidie.¹⁰⁸ Moreover, the government accused GAM of recruiting new fighters and forcing people to pay taxes to GAM—which the government called “extortion” but GAM called a legitimate “Nanggroe tax.” Bambang Yudhoyono said that intelligence sources had detected that GAM had been acquiring new weapons since the signing of the agreement.¹⁰⁹

The government was in fact worried that GAM was expanding its influence outside the main towns. Although government officials were sent to the district centers to explain the details of the agreement, according to reports they rarely attracted audiences of more than a few hundred while thousands were listening to GAM leaders. Part of the government’s problem was that the infrastructure of local government outside the main urban centers was not working effectively. As a result, government functions were often administered by GAM.¹¹⁰ The Aceh provincial chief of police, Inspector General Bahrumasyah Kasman, estimated that GAM controlled at least 40 percent of the province’s villages and subdistricts.¹¹¹ The governor, Abdullah Puteh, later described local government as “virtually paralyzed.” In many areas, he said, “GAM already collects property taxes, vehicle taxes, and arranges driving licenses. Even in matters involving marriage in the village, the people prefer to deal with GAM rather than the local Religious Affairs Office.”¹¹²

Government officials apparently feared they were losing the propaganda war. Bambang Yudhoyono called on the HDC to explain to the Acehnese public “that the cessation of hostility agreement is not, I repeat, is not heading toward independence but toward special auto-

my.”¹¹³ Eventually, David Gorman of the HDC complied and held a press conference in Banda Aceh where he explained that “the agreement does not discuss independence and it does not discuss a referendum.”¹¹⁴ General Endriartono told the press that the process was only aimed at “acceptance of special autonomy in the form of the NAD law.” At most it envisaged direct elections of *bupati* and other local government officials, not a “special election or a referendum in Aceh.”¹¹⁵ The government also resorted to arresting popular speakers at rallies—including the SIRA leader, Muhammad Nazar, who was accused of saying that the peace agreement opened the way to an independence referendum and calling for a UN investigation of human rights abuses.¹¹⁶ GAM, however, maintained that in signing the COHA agreement it had not committed itself to abandoning its goal of independence.

At the core of the problem was the interpretation of GAM’s “acceptance of the NAD law as a starting point.” Following the signing of the COHA agreement, the government implied that GAM had given up its demand for independence. Government officials and military officers thus depicted continued GAM campaigning for independence as a violation that effectively nullified the agreement. As General Endriartono put it: “If all they talk about is independence, we can’t continue this [peace deal].”¹¹⁷ GAM, however, argued that the agreement was only a starting point that would lead to the all-inclusive dialogue and, in the words of the agreement, “the subsequent establishment of a democratically elected government in Aceh, Indonesia.” For GAM “a free and fair electoral process” meant the election would be tantamount to a referendum on Aceh’s future status in which pro-independence candidates and presumably a GAM party would be allowed to run. Furthermore, GAM leaders viewed the agreement’s reference to a review of “elements of the NAD law” as permitting its rejection at the all-inclusive dialogue.

Meanwhile local negotiations continued at the Kuala Tripa Hotel in Banda Aceh on the “demilitarization” phase due to commence on February 9. The agreement required the “phased placement” of GAM’s “weapons, arms, and ordinance in the designated sites” together with the “simultaneous phased relocation of TNI forces” and their adoption of a defensive, as opposed to offensive, position as well as the “reformulation” of Brimob’s role. The specific details of the “placement,” “relocation,” and “reformulation” were not determined in the agreement but were to be discussed in subsequent negotiations. Agreement had not been reached by

February 9, however, when demilitarization was due to commence.

GAM fighters were naturally reluctant to hand over their weapons so long as armed soldiers and police remained in Aceh. GAM's main bargaining chip was its capacity to return to armed struggle. Complete surrender of its weapons would deprive it of that option. The Aceh police chief, Bahrumsyah, told the press that GAM would have to disarm first: "If GAM warehouses its weapons and leaves the location, then TNI will adjust by withdrawing its troops."¹¹⁸ GAM, however, rejected the concept of "warehousing" its arms. As its negotiator, Sofyan Ibrahim Tiba, asked: "Where are the warehouses in the jungles or the mountains?"¹¹⁹ Instead GAM agreed to "placement" under the HDC's supervision but insisted that the placement of its weapons would only proceed simultaneously with the relocation of the TNI's forces. If the TNI carried out 20 percent of its relocation, GAM would carry out the placement of 20 percent of its arms.¹²⁰ Government negotiators then asked how they would know what proportion of GAM's arms had been placed if they did not know how many arms GAM had to start with. "Twenty percent of how many?" asked General Endriartono.¹²¹ Eventually a meeting between the government and HDC accepted that the only practical solution was to wait until July 9 when all of GAM's arms should have been "placed."¹²²

According to the agreement, both sides would be relocated in such a way as "to separate the forces of both parties with sufficient distance to avoid contact or confrontation. Forces of both parties will refrain from operations, movements, activities, or any provocative acts that could lead to contact or confrontation with each other." GAM understood relocation to require that troops at each level of the military's territorial structure be based at their "normal" unit headquarters and not spread out in "posts" at schools, clinics, houses, and other buildings. Thus the army's territorial troops would be withdrawn to permanent territorial command headquarters—Kodam at the provincial level, Korem at the subprovincial level, Kodim at the district level, and Koramil at the subdistrict level—while combat troops brought from outside Aceh would be placed at their battalion or company headquarters.¹²³ The military, however, had established some 220 "temporary" posts that it considered essential to contain GAM. Far from withdrawing from these posts, the Aceh Kodam commander, Major General Djali Yusuf, declared: "We plan to increase the number of posts to help the people to develop Aceh."¹²⁴ According to GAM negotiator Teuku Kamaruzzaman, by April the military had

already set up fifty new posts since December 9.¹²⁵ Under these conditions, believing that the TNI was preparing for a new offensive, GAM commanders were increasingly reluctant to disarm.

The Indonesian side contended that the military and police should continue to carry out “normal” functions. The agreement itself recognized that “the maintenance of law and order in Aceh [*sic*] will continue to be the responsibility of the Indonesian Police.” Immediately after the signing of the agreement, General Endriartono implied a limitation on the extent of relocation when he declared that the TNI would continue “to secure public places, public buildings, and vital facilities.”¹²⁶ In the case of Brimob, the national chief of police, General Da’i Bachtiar, said that Brimob would no longer be armed with military weapons but only pistols like ordinary police.¹²⁷ It was also announced that 3,000 Brimob members would be retrained for their new role.¹²⁸ The brutal reputation of Brimob in Aceh, however, was such that few Acehnese expected Brimob members to behave like “ordinary police.”

The COHA agreement entrusted the JSC to investigate violations. Tripartite teams consisting of Indonesian, GAM, and international monitors (mostly Thai but including a few Filipinos) were stationed throughout the province. The first investigation of violations blamed GAM for two incidents. In one clash at Lokop in East Aceh on January 14, a soldier was killed and several were wounded; in another at Lamno in West Aceh, a soldier was severely wounded. The JSC also criticized Indonesian security forces for intimidating a GAM member of the JSC who was observing a conflict between Brimob and demonstrators at Bireuen on January 14.¹²⁹ In February the results of a second set of investigations were announced. This time the Indonesian side was found to have committed two “very serious” and one “serious” violation of the accord while GAM was responsible for one “very serious” violation.¹³⁰ This decision of the JSC (which as a tripartite body included an Indonesian government representative) elicited a strong protest from the Indonesian side. General Endriartono accepted one of the findings against the TNI but claimed that the other two involved the killing of ordinary criminals and had nothing to do with the peace agreement. In the end, after some soul searching, the JSC agreed to annul its findings in the two cases. A few days after the sanctions against the TNI were annulled, GAM too rejected JSC decisions unfavorable to GAM.

In response to these developments, as well as alleged violations by GAM, senior government officials and military officers reverted to the pattern of threats that had preceded the collapse of the Humanitarian Pause in 2000. Repeatedly they warned that the government could always return to a harder line and abandon the negotiation process. After a cabinet meeting in mid-January, for example, both Yudhoyono and Endriartono said that if GAM persisted in violating the agreement, then the Indonesian government would withdraw from it unilaterally.¹³¹ In early February, General Endriartono announced that the TNI had a contingency plan in case the peace process failed;¹³² in March, he told the DPR that he planned to mobilize a large number of troops to be sent to Aceh.¹³³ In a newspaper article presumably reflecting the views of many in the officer corps, the former army deputy chief of staff, Lieutenant General Kiki Syahnakri, compared the peace process in Aceh to the 1980s in East Timor when “Xanana shifted the emphasis from armed struggle to the arena of diplomatic politics, in other words, from the jungle to the cities.” Reminding his readers of the success of the East Timorese clandestine movement, he warned that GAM had been given a “golden opportunity” to carry out their activities “nakedly and freely before our very eyes.” He complained that “after the peace agreement—when they no longer face pressure from TNI/Polri—their access to the people of Aceh is wide open.” Kiki argued that “diplomatic negotiations alone will not be effective but will meet failure—in the sense that our interests will be defeated—when not accompanied by military action and security operations that strengthen our bargaining position at the negotiating table . . . which is the vehicle to formulate a final solution.”¹³⁴

The military’s desire to terminate the peace process became more apparent in March when a series of “spontaneous” demonstrations took place at JSC field monitoring offices. The first incident came on March 3, in Takengon in Central Aceh, where a mob protesting the alleged kidnapping and ransoming of a coffee trader by GAM attacked three JSC monitors (one of whom, a GAM representative, was beaten unconscious), burned three JSC vehicles, and set fire to the JSC office. The protesters called for the ending of GAM “extortion,” its disarmament, a declaration that it was the enemy of the people of Central Aceh, and the removal of the JSC from Central Aceh.¹³⁵ As this incident took place in an area where the local military had previously encouraged the formation of a militia among Javanese transmigrants, it was widely believed that members of

this militia were involved in the attack (which was not obstructed by the local military or police).¹³⁶ One Banda Aceh-based NGO, Kontras, released a report in which it claimed witnesses had seen Kostrad personnel handing out banners and placards to participants.¹³⁷ A week later, on March 10, several hundred demonstrators gathered at the JSC office in Langsa, East Aceh, again protesting a GAM kidnapping and calling for the dissolution of the JSC if it could not secure the release of the kidnapped man.¹³⁸ Then on March 17 about 100 demonstrators protested at the JSC office in Sigli in Pidie district where they demanded that the JSC take action against “extortion” by GAM and called for more TNI posts in the district.¹³⁹ Similar demonstrations followed in Meulaboh in West Aceh and Tapaktuan, South Aceh. On April 6, thirty trucks brought demonstrators back to the JSC headquarters in Langsa where they burned the office down. Faced with these threats to its personnel in the field, the JSC decided on April 8 to withdraw all its 144 observers to Banda Aceh.

These demonstrations were seen by virtually all observers as engineered by the security forces in an effort to show that in fact the people of Aceh opposed the peace process. Senior officers certainly took little trouble to hide their sympathy for the actions. The day after the attack on the JSC in Takengon, the provincial police chief, Bahrumsyah, said that the action represented an “uprising” of the Central Acehnese people: “I am proud of the people of Central Aceh who have adopted a stance of waging war against oppression. Although the incident yesterday, where the JSC was broken up and three cars were burned, was not an effort to resolve the problem, nevertheless I am proud of that stance.” He called on other regions to follow suit. “We are tired of living in a conflict area,” he said, adding that if the people did not have “bravery in defending truth” they would continue to be “victims.”¹⁴⁰

At the end of March, the army held its annual command meeting attended by about 100 senior officers at facilities provided by ExxonMobil in Lhokseumawe—the first time such a meeting had been held outside Java.¹⁴¹ Although General Ryamizard said that the situation in Aceh was not discussed at the meeting, army officers toured Central Aceh and Pidie where they were greeted by demonstrators calling for the dissolution of the JSC and more security posts to protect the people

The military's desire to terminate the peace process became more apparent

from “extortion” by GAM.¹⁴² The military appeared to be preparing public opinion for a renewed military offensive.

The army-backed demonstrations reflected a widespread hostility toward the HDC-sponsored peace process among military personnel in Aceh. According to one senior military officer in Aceh, the HDC tried to appear neutral but in fact sided with GAM.¹⁴³ A middle-ranking officer asked why the international community was forcing Indonesia to treat rebels as if they had the same status (*sejajar*) as the government of Indonesia. He also claimed that Western pressure to observe human rights had prevented the military from “finishing off” GAM in the past.¹⁴⁴ One senior officer expressed his amazement: “Just imagine, soldiers who have from birth held rifles, rifles which they consider to be like their first wives, are now told to leave their bases without their weapons. In a conflict area, what’s more. Isn’t it great, that agreement?”¹⁴⁵

Meanwhile during March and April there was an upsurge in clashes between the security forces and GAM. Data collected by the TNI in mid-April showed that during the four months since the agreement was signed on December 9, some fifty-eight people had been killed: fifty civilians (including members of GAM), three from the police, and five from the military.¹⁴⁶ Now fifty people were reportedly killed in the first three weeks of April.¹⁴⁷ General Ryamizard claimed that GAM had made use of the cease-fire to increase its manpower from 3,000 to 5,000 and had acquired new arms, bringing the number of weapons up from 1,800 to 2,100. In response the TNI planned to increase the strength of the three organic infantry battalions in Aceh from the present 600–650 personnel to the standard size of 746 and eventually to 1,000.¹⁴⁸ In mid-April, Major General Djali revealed that the number of TNI troops in Aceh had been increased to 26,000. When the HDC pointed out that an increase in personnel would conflict with the COHA agreement, a defiant Ryamizard replied: “If I am asked whether I want to increase the troops in Aceh, that is my business. Because I understand the military.”¹⁴⁹ Meanwhile the launching of the American attack on Iraq on March 19 was seen by many military officers as providing an opportunity to renew the offensive against GAM in circumstances where the United States was hardly in a position to object. The Kostrad commander, Lieutenant General Bibit Waluyo, questioned why the military offensive was always being postponed.¹⁵⁰

Collapse of the Talks

In response to these developments, President Megawati instructed the TNI and the police to prepare for “security operations” in Aceh. At the same time, the government called—as a last resort—for a meeting of the Joint Council established under the COHA agreement. The Indonesian member of the Joint Council, Bambang Yudhoyono, put forward two nonnegotiable demands: that GAM accept autonomy as the final goal of the peace process and that it warehouse (*menggudangkan*) its weapons.¹⁵¹ The first of these was a significant hardening of position—previously the Indonesian government had not insisted that GAM explicitly give up its goal of independence before participating in talks. Jakarta initially proposed that the meeting be held in Indonesia, but GAM insisted on Geneva as a neutral venue.¹⁵² Although the date was set for April 25, at the last moment GAM requested a delay until April 27. Feeling that it was being manipulated by GAM, the Indonesian government angrily announced that it would not attend the meeting.¹⁵³ On April 28, Bambang Yudhoyono emerged from a cabinet meeting to say that the government was giving GAM yet another “final chance.” GAM had two weeks to fulfill the two conditions for talks to resume. In the meantime, he added, although military operations would commence only if conditions deteriorated, “a law enforcement operation has to be immediately conducted with intensity including responding to the armed separatist movement as a threat to the security of the nation which needs to be severely punished.”¹⁵⁴ Responding that it could not accept an ultimatum, GAM proposed that the Joint Council meeting be held after May 12 in Geneva—after the expiry of the deadline set by Indonesia.¹⁵⁵

In a desperate attempt to save the talks, the HDC—strongly backed by the United States, Japan, the European Union, and the World Bank—finally persuaded the two sides to meet in Tokyo on May 17. At the last moment, with both delegations already in Tokyo, the talks almost foundered when police in Aceh arrested five local GAM negotiators who were to advise the GAM delegation at the talks. The GAM team in Tokyo refused to participate unless the arrested GAM negotiators were released. The talks were then delayed for several hours as the Indonesian government arranged the release of the men from police custody—but too late for them to fly to Tokyo.

As had always been the practice in these negotiations, the two sides

did not talk directly with each other around the same table but communicated through the HDC. GAM, in its draft prepared in consultation with the HDC, proposed strengthening the COHA agreement. In a key clause its draft said: "GAM is committed to dropping the armed struggle as stipulated in the relevant clauses of the COHA with all reciprocal measures from the government of the Republic of Indonesia and to participate in the political process as stipulated in the COHA, and in the context of the COHA will refrain from advocating independence." This was a significant concession by the movement—and one that reportedly troubled several younger Acehese "civil society" representatives who were present. GAM also committed itself to complete the "placement" of its weapons in accord with the COHA timetable and to cease immediately any efforts to bring in additional weapons, ammunition, and ordnance in Aceh. Its draft also required the Indonesian government "to return immediately its forces in Aceh to pre-December 9, 2002, levels."¹⁵⁶

GAM's promise to abandon armed struggle and refrain from advocating independence, however, did not go far enough for the Indonesian government. The government's final draft proposed: "(a) GAM fully accepts the special autonomy status provided by the Nanggroe Aceh Darussalam Law within the framework of the unitary state of the Republic of Indonesia and consequently agrees not to seek the independence of Aceh; (b) in this regard, GAM is committed to dropping the armed struggle, to disbanding the Acehese State Army, and to participating in the political process as stipulated in the COHA." The government draft repeated the GAM draft's commitment to placement of GAM weapons in accordance with the COHA timetable but rejected its proposal that government forces in Aceh be reduced to their pre-COHA level. Instead it only offered "to reposition itself to defensive positions as provided by COHA."¹⁵⁷

The government's insistence that GAM fully accept special autonomy and explicitly abandon its struggle for independence, together with the disbandment of its military force, was in effect a demand that GAM surrender and dissolve itself. It is hardly surprising, therefore, that the GAM delegation would not sign the statement and the talks collapsed. Government leaders—including the doves—were apparently convinced that GAM could not be trusted and their promises would not be kept. Equally important, preparations for military operations were by now so well advanced that it was very unlikely they could have been halted.

Apparently Yudhoyono and other senior policymakers now viewed the Tokyo talks primarily as a means to demonstrate to domestic and international audiences that they had exhausted all attempts at negotiation. This explains why the government's ultimatum to GAM was much tougher than any previously presented. Yudhoyono was also under great pressure from his military colleagues impatient to go into action.

On the following day, President Megawati signed the military emergency declaration that commenced at midnight on May 18. During previous weeks the TNI's strength in Aceh had been increased to about 30,000 together with about 12,000 police.¹⁵⁸ Under the military emergency, some of the powers of the civilian governor were transferred to the new Aceh army commander, Major General Endang Suwarya, who replaced his Acehnese predecessor, Major General Djali Jusuf. Military operations began almost immediately. The declaration of a military emergency and launching of military operations received the endorsement of DPR leaders in Jakarta and were generally supported by the mass media and public opinion.

Lessons

The Indonesian government has now ruled out further negotiations with the old GAM leadership in Stockholm who have been unwilling to abandon their struggle for independence. Any future negotiations, according to Bambang Yudhoyono, must be on the basis of acceptance of the "end state" of special autonomy within the Republic of Indonesia. It thus seems that no step by GAM short of capitulation would induce Indonesia to return to negotiations. Nevertheless, Yudhoyono did not exclude the possibility of including Aceh-based GAM leaders in future negotiations—provided they are able to accept the government's conditions. Future talks, however, would not be with GAM alone but would include other Acehnese sectors. In contrast to some of his military colleagues, Yudhoyono said that the goal of military operations is not to wipe out GAM but to create conditions that are conducive for nonsecurity measures to win the "hearts and minds" of the people of Aceh.¹⁵⁹

Our study concludes that the fundamental reason for the breakdown of negotiations between the government and GAM was the huge gap between their goals. In retrospect it was inevitable that a final resolution could not be reached so long as neither side was willing to abandon its position. In other words: our analysis stresses that underlying factors were primarily responsible for the failure of the process. These factors included

not only the tactical (rather than principled) position that both sides adopted toward the peace process but also aspects of the broad political context such as the gradual recovery of the Indonesian military's political confidence and influence from the low point when the peace process

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began. But were there also problems in the design and implementation of the process itself that contributed to its collapse? Could these problems have been addressed? Could other measures

have been taken, at least to preserve the peace, even if they could not bring about a complete resolution of the conflict?

One impediment was the government's imposition of a strict timetable on the negotiations that followed COHA in December 2002. An important lesson is that the final resolution of zero-sum disputes cannot be achieved quickly. In the absence of mutual confidence, it was unrealistic for the government to hope that the signing of the COHA agreement would lead to a full settlement seven months later. GAM could not be expected to suddenly discard the goal for which it had been fighting for a quarter of a century. The time frame was also too short for the government to demonstrate it had the will to implement the reforms that were needed to win Acehnese "hearts and minds." On the other side, GAM's use of the cease-fire to mobilize support and consolidate its forces made it almost inevitable that the military hard-liners would reject a drawn-out process.

Some critics have argued that negotiations over the cease-fire should have been conducted in parallel with talks over the substance of the settlement. This indeed was the view of the HDC but it was not able to persuade the two parties which were inclined to focus first on the immediate issues of demilitarization and to leave the All-Inclusive Dialogue until later.¹⁶⁰ The failure to commence substantive talks placed particular pressure on GAM, by effectively requiring that it disarm without any guarantee that its political aspirations would eventually be addressed. GAM's reluctance to disarm in turn stoked government suspicion that the movement was not serious about the peace process. By entering discussions on substance while at the same time negotiating details of the demilitarization process, each side might have been able to offer the other side stronger incentives to adhere to the cease-fire. Incentives to GAM

(perhaps in the form of recognition for some kind of local political party or electoral process) might have convinced the organization to act more decisively on the demilitarization issue. The counterargument, of course, is that it was difficult enough to reach agreement on demilitarization without complicating it further by bringing in the seemingly intractable questions that would be tackled later by the all-inclusive dialogue. Disagreement over a final settlement might have sabotaged the cease-fire negotiations—as such disagreement did in fact eventually sabotage its implementation. Following the failure of the peace process, even the doves in the government now insist that agreement on the final goal—special autonomy—must be a precondition for renewed negotiations.

In retrospect, it appears that a successful formula would have needed to broach the substantive political issues, but in a way that aimed to come up with interim rather than final solutions. Such a “delayed settlement” approach (more or less what HDC was aiming at) would have required both sides to refrain from military actions while the government sought ways of drawing GAM into local political processes and structures without first requiring GAM to give up its ultimate political goals. The key ingredient would be for the government to provide GAM with greater incentives to participate in conventional politics as an alternative to armed struggle. In the Southern Philippines, one crucial element that assisted the (admittedly painfully slow) progress in the peace process was the Philippine government’s willingness to tolerate “constitutional” political activities by former rebels—even allowing the leader of the Moro National Liberation Front, Nur Misuari, to become head of an autonomous Moro homeland. Participation in the peace process in Aceh, by contrast, seemed to be leading GAM toward a political dead-end. Current laws made it impossible for GAM to participate in the electoral process and maintain its identity. Indonesian officials ruled out the possibility of separate local elections in Aceh, let alone GAM participation in them, regardless of whether the movement aimed at achieving independence or not. Eventually GAM was offered a choice between complete capitulation or a military offensive. Even so, GAM’s final draft statement at the Joint Council meeting in Tokyo in May 2003, in which it offered to give up its armed struggle and refrain from advocating independence, may have contained a basis for a “delayed settlement” and later negotiations and perhaps should not have been rejected so abruptly by the Indonesian side.

Another common criticism of the peace process is that participation in the main negotiations on the Aceh side should not have been limited to GAM: a wider spectrum of Aceh society should have been involved. In this perspective, limiting participation to the Indonesian government and representatives of GAM doomed the negotiations to failure by establishing an adversarial framework in which the two sides had fundamentally incompatible positions regarding the end result. Involving a broader range of representatives of Aceh society might have widened the scope of discussion and shifted the focus away from the ultimate question of sovereignty toward more practical steps that could be taken to lessen the suffering of the civilian population. Two responses can be made to this proposal. First, the goal of the original negotiations was to achieve a cease-fire as a precondition for discussions about a long-term resolution. It could hardly be expected that such discussions would be fruitful while fighting continued on the ground. The cease-fire, therefore, had to be negotiated by the parties engaged in the fighting, not by all sections of society. Only then could broader discussions take place within the framework of the all-inclusive dialogue as envisaged in the COHA agreement. Ensuring that civil society participants would be selected by an open and transparent mechanism to ensure they were truly representative of the Aceh community was another challenge that would have been difficult enough to achieve if the cease-fire had held—let alone under conditions of violent conflict. The second reason for negotiating with GAM alone was that GAM was not willing to participate as just one among many Aceh groups. If the government had insisted on including other groups, most likely the negotiations would not have begun at all.

An alternative approach for the government might have been to concentrate on talking with GAM's Aceh-based leaders rather than with the old-guard in Stockholm. Indeed, by agreeing to negotiate with Hasan di Tiro and his "government," Jakarta may have inadvertently reinforced their authority over the movement in Aceh. Offering concessions to local GAM leaders might have encouraged them to seek their own separate deal with Jakarta. This too, however, was a doubtful proposition. Although the situation on the ground in 1999 was confused, it appears in retrospect that the key GAM field commanders were loyal to their leaders in Stockholm. The fact that many of them had trained together in Libya in the late 1980s gave them considerable ideological and group cohesion.

Certainly by the time Abdurrahman Wahid sent his aide Bondan Gunawan to meet GAM commander Abdullah Syafi'ie in March 2000, the HDC-sponsored talks were already under way in Geneva and the opportunity to separate the Aceh-based GAM from the Stockholm group may have been missed. Much later, in 2002, some officials claim they detected indications that certain local leaders were adopting a more flexible approach which was then vetoed by Stockholm.¹⁶¹ But there may have been an element of wishful thinking here too: Indonesian leaders periodically asserted that GAM was rent by internal divisions as part of their attempt to discredit the movement. Overall it seems likely that most GAM field commanders were loyal to Stockholm and equally uncompromising on the question of independence. Although the government never tested their loyalty by seriously attempting to induce them to break with Stockholm, such an attempt would have necessitated political concessions that the government was unwilling to make.

Finally, we must consider the role of the HDC and the international community in seeking a resolution to the Aceh conflict. (see Huber forthcoming) Some critics have suggested that the HDC itself may have partly contributed to the failings of the peace process due to such factors as its relative inexperience and the limited local knowledge of its personnel—although these initial drawbacks were gradually overcome during the more-than three years of the peace process. Others have suggested that because the Aceh peace process was the HDC's first major international mediation effort, the organization had an institutional interest in "talking up" the process—at times encouraging a false sense of optimism with the result that fundamental stumbling blocks were not properly addressed. But, as HDC members point out, they only dropped their "low-profile" approach when they felt that misleading press reports needed to be countered in the period after the COHA was signed. Yet another criticism was that the HDC, as a relatively new and low-profile NGO, lacked sufficient leverage over the two parties; people in the organization respond that they did have the capacity to exert pressure on the parties by mobilizing the international community, notably via the "wise men." Although we have not been sufficiently closely involved in the process to pronounce judgment on these questions, the overall thrust of our analysis suggests that such failings, even if proved, would have been at most of secondary importance. Moreover, the HDC was acting under great constraints. Key elements in the Indonesian military and political elite were

aware that GAM and other pro-independence groups aimed to internationalize the Aceh conflict and were strongly concerned to limit (or prevent altogether) international involvement in the peace process. Direct involvement in mediation attempts by a more powerful international body, such as the UN, was ruled out from the start. In these circumstances, it is not surprising that HDC's leverage was constrained. Indeed the organization deserves credit for keeping the process going as long as it did and for exploring innovative methods (such as involvement of the "wise men") for extending international participation. Moreover, major countries, including the United States, Japan, and the European Union, together with the World Bank, supported peace negotiations and opposed a military solution. The mediation efforts of the HDC were supported and partly financed by these countries. Through the "wise men," the United States and other countries added weight to the role of the HDC and helped formulate the COHA agreement. But as events showed, the influence of the international community was not decisive.

Prospects

At present the ball is in the Indonesian government's court. By abandoning the peace process and launching a military offensive, it has greatly reduced the capacity of other actors to bring about a peaceful resolution of the Aceh conflict. Not only have government officials made it clear that they believe HDC's role in the conflict is ended, but the capacity of foreign governments to influence the course of events is now limited. While the governments of Japan, various EU countries, the United States, and others expressed their disappointment when the May 2003 Tokyo talks failed, these governments were also distressed by the position taken by GAM during the talks. Today it would take considerable public pressure on the part of foreign governments to persuade Jakarta to return to the negotiating table. There have been few signs that these governments are willing to risk their good standing with Jakarta by openly exerting pressure on the Aceh issue at a time when other issues (notably the "War on Terror") are greater foreign policy priorities.¹⁶²

GAM has little capacity to bring about a return to the negotiating table, although its leaders have called for a resumption of talks.¹⁶³ Having refused to accede to the final Indonesian ultimatum, however, the movement is now defending its very existence. GAM forces on the ground are under sustained military assault, and the Indonesian government is

attempting to persuade Sweden to take legal action against the Stockholm-based leadership. At present any step short of GAM's capitulation on the core issues of independence and armed struggle would not induce Indonesia to return to negotiations. Having resisted this outcome in Tokyo and survived previous military offensives, GAM's capitulation can hardly be expected.

The Indonesian government's recourse to military action and the "security approach," however, carries significant risks. The government cannot guarantee that the methods of its military forces will not simply lay the foundation for new separatist challenges in the future. In his very frank book, the former Korem commander and later chief of staff of the Aceh Kodam, Brigadier General

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Syarifudin Tippe, points to the lack of professionalism of army troops in Aceh: "During the DOM period [1990–98] elite soldiers with professional capacity in fact besmirched the good name of the TNI through their behavior that violated human rights and contradicted the ethic and identity of soldiers of the TNI. And then in the post-DOM period, the professional capacity of soldiers sent to the region was extremely doubtful. . . . Even worse, they were caught up in and unable to free themselves from undisciplined behavior, arrogance, illegal extractions, and even extortion." He concludes that the security forces have "weak capacity . . . to carry out security operations to resolve the Aceh conflict" (Tippe 2000: 94–95).

At the core of Acehnese resistance to—and indeed hatred of—Jakarta rule has been the repressive role of the military and police. In addition to the 1,000–3,000 killed and 900–1,400 missing in military operations during the early 1990s, an estimated 450 civilians were killed between mid-1998 and the end of 1999. In 2000 the estimate was 700 civilians; in 2001 it was over 1,000 and perhaps many more. The Legal Aid Institute in Aceh estimates that the 2002 figure had reached 1,228 by the end of November.¹⁶⁴ Many thousands more became refugees as a result of the fighting. In early September 2003, security forces said that 319 civilians had been killed since the start of the military emergency in mid-May; human rights groups said many of the 809 claimed GAM fatalities during the same period were also civilians.¹⁶⁵ Although GAM was responsible for some of the killing, much was perpetrated by soldiers and Brimob.

Moreover, many victims and witnesses attested to torture, rape, looting, arson, and other acts of violence committed by security forces.

By using the military option to create a breathing space in which the NAD law and other concessions may take effect, the government may further undermine its long-term credibility in the eyes of the Acehese population and hence render those concessions ineffective. Whenever the military embarked on an offensive in the past, GAM would suffer losses although, inevitably, it was noncombatants who suffered most. The problem for the government is that Aceh—as the government itself has always proclaimed—is not a foreign territory under Indonesian occupation but is inhabited by people that Jakarta claims as its own.¹⁶⁶ The more casualties inflicted by the security forces, the stronger the resentment engendered among the Acehese population and the more support given to separatism. GAM had already been crushed militarily in 1977 and again in the early 1990s, but military brutality inflicted on one generation had sown the seeds of rebellion in the next. As Syaiful Achmad, an Acehese member of the DPR, explained: “Those who have joined GAM are the sons of fathers who were killed by the military, and young people who have lost hope because the forests and fish of our region have been plundered.”¹⁶⁷ GAM’s leaders believe deeply in an ethos of blood sacrifice. They are confident that the suffering visited upon the Acehese population as a result of military operations will be so heavy that it will swell future popular support for independence.

Part of the Indonesian government’s strategy has been to sidestep GAM altogether and address unilaterally some of the underlying issues that have generated support for the insurgency. The NAD law has the potential to go some distance toward meeting the economic grievances of the Acehese people. But much will depend on how the new revenues are spent. Corruption and misuse of funds are common among regional governments throughout Indonesia, and the same pressures felt elsewhere are also felt in Aceh—the main difference being that in Aceh the amount of funds available is much higher than in the less well endowed provinces. The International Crisis Group (ICG 2003: i) has described the provincial government itself as “an obstacle to lasting peace because it has such low credibility and is so widely seen as corrupt. As long as it is seen to embody ‘autonomy’ . . . many Acehese will continue to see independence as a desirable alternative.” Moreover, to the extent that the regional government in Aceh is forced to bear some of the cost of main-

taining a huge military and police presence, less will be available to improve living standards of the people of Aceh. The current military emergency—under which the regional commander, Major General Endang Suwarya, has been made “Regional Military Emergency Authority” for the province and numerous junior officers are taking up positions in the civilian administration—is likely to prevent the NAD law from delivering a sense of genuine self-government.

Another grievance that could be addressed unilaterally by the government is the ubiquitous perception that military and police personnel enjoy impunity for human-rights crimes. Of all the possible measures that might restore Acehnese confidence in the central government, the most immediately effective would be the prosecution of senior military and police personnel responsible for human rights violations. Even the governor of Aceh, Abdullah Puteh, has called for the establishment of a human rights court in Aceh.¹⁶⁸ Such a measure, however, would meet almost total resistance within the security forces. During the current military emergency, courts martial have indeed punished some ordinary soldiers who committed abuses but senior officers remain immune. General Endriartono claims that he is not opposed to the establishment of a human rights court in Aceh but adds that for the next two years priority should be given to political and economic stability, not upholding the law.¹⁶⁹ Even in the unlikely case that a human rights court is established some time in the future, the experience of trials of senior military personnel accused of offences in East Timor does not provide much assurance for the Acehnese.

In conclusion, therefore, we are skeptical that the Indonesian side will be able to achieve what it could not in the past. Previous military operations have succeeded in reducing GAM’s armed presence, but the government’s methods have alienated the population and made many of them more sympathetic to the rebels. There does appear to be some awareness on the part of the senior officers that victimization of civilians should be reduced and efforts have been made by the military leadership to impose stronger discipline. However, there are also indications that many of the methods used in the current security operations are similar to those of past (see Sukma forthcoming). Moreover, restrictions on access by international agencies and the press make it difficult to verify the military’s claims of better performance. At the same time, corruption in local government and resistance to punishing perpetrators of human

rights abuses undermine the government's capacity to take unilateral action to reduce the popular base of the insurgency. As a result, it seems likely that GAM will not be eliminated as a military force and may eventually experience another resurgence once the current military operations end or at some later moment of crisis in Jakarta/Aceh relations. It is our view, therefore, that a final resolution of the Aceh conflict is unlikely to be achieved soon and will ultimately require a new round of talks.

In reviewing the lessons of the failed process, we have stressed the constraints faced by negotiators on both sides—constraints caused by the underlying gulf that separated them on the eventual political status of Aceh, as well as internal divisions and ambivalence concerning the peace process itself. On the Indonesian side, those who supported negotiations were always in a minority in the government and faced constant criticism from those who favored military action. Indeed at times the military—or at least some elements within it—was taking active steps to undermine the process. On the GAM side, it was the negotiators themselves who were the hard-liners. The Stockholm-based leaders had already made many sacrifices for the independence cause and were constrained by their awareness that their credibility among their followers would have been at stake if they had given up their fundamental goal of independence.

A final resolution is unlikely to be attained without fundamental changes in the position of one or both sides. The Indonesian government would have to carry out a thorough reform of its security sector while reducing the influence and autonomy of hard-line officers over security policy. The GAM leadership, for its part, would need to develop a greater recognition of its own limited military options and the inadvisability of simply awaiting the collapse of the Indonesian state. It takes a good deal of optimism to believe that these conditions are likely to materialize soon. Although our analysis draws attention to steps that may be taken

A final resolution is unlikely to be attained without fundamental changes in position

to improve the course of future negotiations, we stress that the greatest obstacle to a settlement was that key groups on both sides were simply unwilling to believe their military options were exhausted. It is for these reasons that we think the quest for a final resolution should not be allowed to prejudice efforts to achieve a reduction in violence—and hopefully a sustainable peace—long before a final settlement can be reached.

Endnotes

1. The official name of the movement is the Aceh-Sumatra National Liberation Front (ASNLF). Most Indonesians and Acehnese, however, use the Indonesian-language acronym GAM, a practice followed in this paper.
2. *Jakarta Post*, May 19, 2003.
3. *Kompas*, May 20, 2003.
4. One of the authors was surprised by the calm—almost casual—demeanor of GAM negotiators in Aceh in March 2003 in contemplating what seemed at that time to be the inevitable renewal of military operations.
5. Interviews with Malik Mahmud and Zaini Abdullah, Stockholm, July 2002.
6. Interview with Teuku Kamaruzzaman, Banda Aceh, March 2003.
7. Interview with Sofyan Ibrahim Tiba, Banda Aceh, March 2003.
8. *Kompas*, August 8, 1998.
9. *Kompas*, March 27, 1999.
10. *Kompas*, December 24, 1999.
11. *Kompas*, July 14, 1999.
12. Colonel Syarifudin Tippe, commander of the Military Resort Command based in Banda Aceh at that time, said he did not have sufficient troops to deal with the situation in any other way. Interview with Brigadier General Syarifudin Tippe, Banda Aceh, March 2003.
13. *Serambi*, September 16, 1999.
14. *Serambi*, November 11, 1999.
15. *Jakarta Post*, November 23, 1999.
16. *Kompas*, December 9, 1999.

17. *Kompas*, November 12, 1999.
18. *Republika*, November 17, 1999.
19. Hasan di Tiro is reported to have said that “talk of dialogue is stupid.” See AFP, November 10, 1999.
20. It was claimed that Gus Dur spoke to the GAM leader in Sweden, Hasan di Tiro, by telephone but Hasan denied this: “I have nothing to do with Wahid, who has no power there, or with the Indonesian military. We demand unilateral independence for Aceh, without a referendum.” See AFP, November 6, 1999.
21. The Henry Dunant Center later renamed itself the Centre for Humanitarian Dialogue but continued to use the HDC acronym and remained known by its former name in Indonesia.
22. *Jakarta Post*, May 5, 2000.
23. HDC “Mission Statement” (<http://www.hdcentre.org>).
24. The main exception was Malik Mahmud, the “prime minister” of the government-in-exile, who had recently moved to Stockholm from Singapore.
25. Conversation with Hassan Wirajuda in Jakarta, May 21, 2000. For a discussion of the negotiation process by Hassan Wirajuda see *Kontras*, May 31–June 6, 2000.
26. *Kompas*, March 18, 2000.
27. *Republika*, March 20, 2000.
28. *Suara Pembaruan*, January 9, 2000.
29. *Jakarta Post*, January 18, 2000.
30. Bondan said that several hours before he met Abdullah Syafi’ie he had obtained a guarantee from the chief of staff of the North Sumatra army command that troops would not carry out operations in the area where the meeting was to be held; see *Kompas*, March 18, 2000. It seems that the troops involved in the raid were not from the army but from Brimob (Brigade Mobil), the police paramilitary force. Whether they were acting on their own initiative or carrying out higher orders was not clear. In an interview Bondan suggested that the troops may have been carrying out a routine operation and did not know about the meeting. Interview with Bondan Gunawan, Jakarta, August 2000.
31. *Kontras*, October 4–10, 2000.
32. Thus various attempts by local and Jakarta-based Acehnese to initiate an Acehnese “people’s congress” in the first part of 2000 were aborted, due largely to GAM’s refusal to cooperate.
33. *Media Indonesia*, November 18, 1999; *Kompas*, November 19, 1999. Not all officers, however, were opposed to dialogue. One officer who showed interest in promoting talks with GAM even during the Habibie era was the commander of the Teuku Umar Korem (subprovincial military command) based in Banda Aceh, Colonel Syarifudin Tippe. See *Waspada*, September 1, 1999.
34. *Kompas*, March 2000.
35. *Jakarta Post*, May 6, 2000. For similar comments by Defense Minister Juwono Sudarsono see *Kompas*, May 10, 2000.
36. *Republika*, March 19, 2000.

37. "Joint Understanding on Humanitarian Pause for Aceh," May 12, Geneva.
38. The International Crisis Group, however, reported that "even with training, its skills were low and the fear of reporting the truth high" (ICG 2003: 3). These bodies were later established in the districts most affected by the conflict. One unanticipated consequence of the way in which members were selected was that relatively neutral NGO representatives were quickly identified with the side that had selected them.
39. *Jakarta Post*, May 16, 2000.
40. *Kompas*, May 16, 2000.
41. *Kompas*, May 12, 2000.
42. *Pokok-Pokok Pikiran Diskusi Pemecahan Masalah Aceh Pasca Penandatanganan Kesepahaman Bersama* (unsigned five-page document dated May 2000).
43. *Jakarta Post*, May 12, 2000. Surjadi had replaced General Wiranto following Wiranto's dismissal from the cabinet.
44. "Joint Understanding on Humanitarian Pause for Aceh," May 12, Geneva, p. 3. On the subsequent debates within the KBMK see *Kontras*, June 28–July 4, 2000.
45. In the view of one informant from an international agency active in Aceh, at this point Indonesian security forces on the ground, confident they could win an open military conflict, began to suspect they had poor prospects of competing with GAM in winning the hearts and minds of the population under cease-fire conditions (confidential communication, June 27, 2001).
46. See the comments by the SIRA coordinator, Muhammad Nazar, in *Jakarta Post*, August 2, 2000, and *Kompas*, August 7, 2000.
47. Confidential communication, August 14, 2000.
48. *Kompas*, September 5, 2000. These figures come from the NGO Forum Peduli HAM Aceh.
49. *Jakarta Post*, May 12, 2000.
50. *Kontras*, September 6–13, 2000.
51. *Kompas*, November 17, 2000.
52. *Kompas*, March 31, 2001. Teungku Kamal had supported women who claimed to have been raped by Brimob personnel.
53. As early as October Mahfud announced that Indonesia was considering unilaterally canceling the agreement because it benefited only GAM and harmed Indonesia. See *Media Indonesia*, October 19, 2000.
54. "Testimony of Nazaruddin, aged 22," Human Rights Watch, December 12, 2000.
55. *Kontras*, May 30–June 5, 2001. Funds totaling \$600,000 had been received from the Norwegian, British, and New Zealand governments.
56. "Provisional Understanding Between the Government of the Republic of Indonesia and the Leadership of the Free Aceh Movement," Geneva, January 9, 2001.
57. See, for example, comments by the Aceh governor, Abdullah Puteh, in *Serambi Indonesia*, June 29, 2001.
58. *Serambi Indonesia*, January 10, 2001.
59. *Jakarta Post*, February 20, 2001.

60. *Kompas*, April 10, 2001.
61. Kostrad, the Army Strategic Reserve Command, consists of more than 30,000 troops available to be sent to “trouble spots.”
62. Of the Rp 6.9 trillion allocated to regional government in Aceh, only Rp 1.1 trillion had been disbursed by June. The governor, Abdullah Puteh, complained that the only project that had been carried out was “a massive law enforcement which many viewed as being excessive,” not economic development projects. See *Jakarta Post*, June 26, 2001.
63. *Kompas*, August 23, 2001.
64. In one account in *Serambi Indonesia*, June 25, 2001, it was reported that residents of Drien Mangko in Wolya had discovered the bodies of three members of a family in a hut in the middle of a rice field. All had bullet wounds and the hut had been burned. The three were identified as Muhammad Dasyah (age 55), his wife Umi Kalsum (age 45), and their 5-year-old child Heri Safwan. The newspaper added that prior to this report Major C.A.J. Sulistiadi had issued a press release saying that twenty soldiers from Infantry Battalion 320/BP had raided a hut by the side of the Drien Mangko River, seized some equipment, and killed a GAM member called “M Dasah.” Four other GAM members escaped. No mention was made of the other two victims.
65. *Serambi Indonesia*, July 21, 2001. As an indication of the impotence of the sponsors of the peace process, this report describes two local HDC representatives desperately attempting to prevent the arrests. When one tried to hand an arresting officer a mobile telephone, the officer replied: “That’s none of your business.”
66. *Jakarta Post*, August 30, 2001. Although they were released, the charges were not withdrawn. Interview with one of the men, Teuku Kamaruzzaman, Banda Aceh, March 2003.
67. *Kompas*, July 30, 1999.
68. See her first independence day speech as president; *Kompas*, August 18, 2001.
69. *Media Indonesia*, November 30, 2001.
70. *Kompas*, August 25, 2001.
71. *Jakarta Post*, July 26, 2002.
72. *Koran Tempo*, May 2, 2002.
73. *Jakarta Post*, January 17, 2001.
74. A GAM official told the International Crisis Group (ICG 2002: 2) that the area under its effective control had shrunk from 60–70 percent to around 30–40 percent. ICG noted that although these figures were not necessarily “geographically accurate,” they suggested the extent of GAM’s losses.
75. *Kompas*, April 6, 2001.
76. Malaysia’s former deputy prime minister, Musa Hitam, was initially involved but soon withdrew, possibly because of GAM’s suspicions about Malaysia’s role.
77. In an interview one of the GAM negotiators said that although it was difficult for GAM to return to negotiations immediately after the murder of Abdullah Syafi’ie, GAM was “rational, not emotional.” He believed that the TNI wanted to sabotage the forthcoming talks but GAM would not allow itself to be intimidated. Interview with Teuku Kamaruzzaman, Banda Aceh, March 2003.

78. The joint statement is included in the Cessation of Hostilities agreement adopted on December 9, 2002.
79. Aceh-Sumatra National Liberation Front, press release, Geneva, May 10, 2002.
80. *Kompas*, May 14, 2002.
81. *Kompas*, May 12, 2002.
82. *Koran Tempo*, May 13, 2002.
83. *Jakarta Post*, May 31, 2002.
84. *Koran Tempo*, July 12, 2002.
85. *Koran Tempo*, August 10, 2002.
86. *Koran Tempo*, August 13, 2002.
87. *Koran Tempo*, July 12, 2002.
88. *Koran Tempo*, August 28, 2002.
89. *Jakarta Post*, July 19, 2002.
90. *Kompas*, August 20, 2002.
91. Initially HDC had proposed a “three-key system” under which the third key would be held by TNI; GAM objected, however, and the TNI agreed to relinquish its key (ICG 2003: 10).
92. *Tempo*, November 25, 2002.
93. Kopassus (Komando Pasukan Khusus) is the army’s elite special force.
94. *Koran Tempo*, November 9, 2002.
95. *Koran Tempo*, November 11, 2002.
96. *Koran Tempo*, November 8, 2002.
97. *Koran Tempo*, November 21–22, 2002.
98. In the end the foreign monitors were mainly from Thailand. GAM vetoed participation of monitors from Malaysia and Singapore (because these countries were “too close to Jakarta”) but accepted Thailand and the Philippines. When President Arroyo casually remarked that the participation of the Filipino monitors was a way of repaying Indonesia for its earlier assistance in Mindanao, however, GAM protested their presence. Eventually, only eight Filipinos joined the monitoring team.
99. The term *all-inclusive dialogue* echoed the all-inclusive dialogue held between pro-independence and pro-Jakarta groups in East Timor. A key government condition for the East Timor dialogue was that it would not discuss East Timor’s future political status.
100. See, for example, comments by Governor Abdullah Puteh in *Analisa*, December 17, 2002.
101. HDC news release, February 9, 2003.
102. *Kompas*, January 28, 2003.
103. *Kompas*, December 16, 2002.
104. *Analisa*, December 17, 2002.
105. *Kompas*, December 13, 2002.

106. *Kompas*, January 16, 2003, February 6, 2003, February 14, 2003; *Jakarta Post*, February 14, 2003.
107. COHA, Article 5(b).
108. *Koran Tempo*, January 28, 2003.
109. *Koran Tempo*, February 11, 2003.
110. *Kompas*, February 16, 2003. This revealing report mentions a police officer who admitted that his men could only work within a radius of 300 meters from the police station. Villagers were reluctant to report even criminal matters to the police.
111. *Kompas*, April 16, 2003.
112. *Kompas*, April 28, 2003.
113. *Serambi Indonesia*, February 11, 2003.
114. *Serambi Indonesia*, April 11, 2003.
115. *Analisa*, February 13, 2003.
116. *Koran Tempo*, February 15, 2003. Nazar had been jailed for nine months in 2001 for advocating the holding of a referendum. A warrant was also issued for the arrest of another speaker, Muhammad Kautsar.
117. *Straits Times*, April 10, 2003.
118. *Serambi Indonesia*, January 17, 2003.
119. *Kontras*, February 19–25, 2003. The pre-COHA debate about whether there should be two or three “keys” seems rather bizarre in this context.
120. *Koran Tempo*, February 24, 2003.
121. *Koran Tempo*, February 22, 2003.
122. *Koran Tempo*, March 14, 2003.
123. *Kompas*, February 8, 2003. The Indonesian army has a “territorial” structure in which troops are spread throughout the country in a hierarchy of commands stretching from Jakarta to small townships. This system operates throughout the country, not just in Aceh.
124. *Tempo*, February 10, 2003.
125. *Kompas*, April 15, 2003.
126. *Kompas*, December 10, 2002.
127. *Tempo*, December 8, 2002.
128. *Jakarta Post*, February 18, 2003.
129. *Koran Tempo*, January 27, 2003.
130. JSC News Release, February 15, 2003.
131. *Jakarta Post*, January 21, 2003; *Serambi Indonesia*, January 21, 2003.
132. *Kompas*, February 5, 2003.
133. *Koran Tempo*, March 7, 2003.
134. Kiki Syahnakri, “Aceh Pascaperjanjian Damai,” *Kompas*, February 25, 2003.
135. *Kompas*, March 5, 2003; JSC News Release, March 20, 2003.
136. For background on this militia see ICG (2002: 6–8).

137. "Kronologis pengrusakan dan pembakaran kantor dan mobil JSC di Buntul Kubu, Takengon, Aceh Tengah," distributed by e-mail by the U.S.-based Aceh Center, March 6, 2003.
138. *Kompas*, March 13, 2003.
139. *Serambi Indonesia*, March 18, 2003. Pidie is one of GAM's stronghold districts.
140. *Waspada*, March 5, 2003.
141. *Tempo*, March 31, 2003.
142. *Tempo*, March 31, 2003. The demonstrators in Pidie, one of GAM's main bases of support, wore masks—presumably so they could not be identified as people from outside Pidie or, as some claimed, soldiers or police.
143. Interview, Banda Aceh, March 2003.
144. Interview, March 2003.
145. *Kompas*, April 24, 2003.
146. *Kompas*, April 16, 2003.
147. *Jakarta Post*, April 25, 2003.
148. *Kompas*, March 29, 2003.
159. *Kompas*, April 5, 2003.
150. *Koran Tempo*, April 22, 2003.
151. *Jakarta Post*, April 24, 2003; *Koran Tempo*, April 25, 2003.
152. *Koran Tempo*, April 15, 2003.
153. *Kompas*, April 25, 2003. Yudhoyono had been informed of the postponement only one hour before he was due to depart from Jakarta. Several other members of the Indonesian delegation had already left for Geneva.
154. *Jakarta Post*, April 29, 2003.
155. *Kompas*, May 6, 2003.
156. Draft Statement of the Joint Council (GAM).
157. Draft Statement of the Joint Council (the version containing the government's final offer).
158. *Kompas*, May 10, 2003; May 8, 2003.
159. Susilo Bambang Yudhoyono in a meeting with members of the East-West Center Washington Aceh Study Group, Jakarta, June 18, 2003.
160. Communication from David Gorman, former head of HDC team in Aceh, September 2003.
161. Meeting with Susilo Bambang Yudhoyono, Jakarta, June 18, 2003.
162. However, in responding to a question at a press conference following the ASEAN Summit in Bali in October, the Japanese prime minister, Junichiro Koizumi, said "With respect to Aceh, we certainly hope in the first place for a peaceful resolution" and expressed Japan's readiness to assist the process. *Jakarta Post*, October 9, 2003.
163. See for example Aceh-Sumatra National Liberation Front, "Speech of Mr. Malik Mahmud, Prime Minister of the State of Aceh, at the Exchange of Views on Human Rights in Indonesia, Human Rights Working Group, European Parliament," October 1, 2003.

164. *Media Indonesia Online*, November 30, 2002.
165. *Media Indonesia*, September 7, 2003; *Serambi Indonesia*, September 3, 2003.
166. Army forces in Aceh, as in other provinces, consist of “organic” and “nonorganic” troops. Organic troops are those attached to the Aceh regional army command (Kodam); “nonorganic” troops are brought in temporarily from other parts of Indonesia. The nonorganic troops can easily be seen by Acehnese as an army of occupation. Even among the organic units based in Aceh, a former Aceh Kodam commander estimated there were only about 100 Acehnese soldiers among the 600 or 700 in each battalion. Interview with Major General. Djali Jusuf, Jakarta, June 2003.
167. *Kompas*, September 20, 2002.
168. *Jakarta Post*, January 13, 2003.
169. *Koran Tempo*, December 20, 2002.

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The Dynamics and Management of Internal Conflicts in Asia: Project Rationale, Purpose and Outline

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Rationale

Internal conflicts have been a prominent feature of the Asian political landscape since 1945. Asia has witnessed numerous civil wars, armed insurgencies, coups d'état, regional rebellions, and revolutions. Many have been protracted; several have far reaching domestic and international consequences. The civil war in Pakistan led to the break up of that country in 1971; separatist struggles challenge the political and territorial integrity of China, India, Indonesia, Burma, the Philippines, Thailand, and Sri Lanka; political uprisings in Thailand (1973 and 1991), the Philippines (1986), South Korea (1986), Taiwan, Bangladesh (1991), and Indonesia (1998) resulted in dramatic political change in those countries; although the political uprisings in Burma (1988) and China (1989) were suppressed, the political systems in these countries as well as in Vietnam continue to confront problems of political legitimacy that could become acute; and radical Islam poses serious challenges to stability in Pakistan, Indonesia, Malaysia, and India. In all, millions of people have been killed in the internal conflicts, and tens of millions have been displaced. And the involvement of external powers in a competitive manner (especially during the Cold War) in several of these conflicts had negative consequences for domestic and regional security.

Internal conflicts in Asia (as elsewhere) can be traced to three issues—national identity, political legitimacy (the title to rule), and distributive justice—that are often interconnected. With the bankruptcy of the socialist model and the transitions to democracy in several countries, the number of internal conflicts over the legitimacy of political system has declined in Asia. However, political legitimacy of certain governments continues to be contested from time to time and the legitimacy of the remaining communist and authoritarian systems are likely to confront challenges in due course. The project deals with internal conflicts arising

from the process of constructing national identity with specific focus on conflicts rooted in the relationship of minority communities to the nation-state. Here too many Asian states have made considerable progress in constructing national communities but several states including some major ones still confront serious problems that have degenerated into violent conflict. By affecting the political and territorial integrity of the state as well as the physical, cultural, economic, and political security of individuals and groups, these conflicts have great potential to affect domestic and international stability.

Purpose

The project investigates the dynamics and management of five key internal conflicts in Asia—Aceh and Papua in Indonesia, the Moro conflict in southern Philippines, and the conflicts pertaining to Tibet and Xinjiang in China. Specifically it investigates the following:

1. Why (on what basis), how (in what form), and when does group differentiation and political consciousness emerge?
2. What are the specific issues of contention in such conflicts? Are these of the instrumental or cognitive type? If both, what is the relationship between them? Have the issues of contention altered over time? Are the conflicts likely to undergo further redefinition?
3. When, why, and under what circumstances can such contentions lead to violent conflict? Under what circumstances have they not led to violent conflict?
4. How can the conflicts be managed, settled, and eventually resolved? What are policy choices? Do options such as national self-determination, autonomy, federalism, electoral design, and consociationalism exhaust the list of choices available to meet the aspirations of minority communities? Are there innovative ways of thinking about identity and sovereignty that can meet the aspirations of the minority communities without creating new sovereign nation-states?
5. What is the role of the regional and international communities in the protection of minority communities?
6. How and when does a policy choice become relevant?

Design

A study group has been organized for each of the five conflicts investigated in the study. With a principal researcher each, the study groups comprise practitioners and scholars from the respective Asian countries

including the region or province that is the focus of the conflict, the United States, and Australia. For composition of study groups please see the participants list.

All five study groups met jointly for the first time in Washington, D.C. from September 29 through October 3, 2002. Over a period of four days, participants engaged in intensive discussion of a wide range of issues pertaining to the five conflicts investigated in the project. In addition to identifying key issues for research and publication, the meeting facilitated the development of cross country perspectives and interaction among scholars who had not previously worked together. Based on discussion at the meeting five research monograph length studies (one per conflict) and twenty policy papers (four per conflict) were commissioned.

Study groups met separately for the second meeting. The Aceh and Papua study group meetings were held in Bali on June 16-17, the Southern Philippines study group met in Manila on June 23, and the Tibet and Xinjiang study groups were held in Honolulu from August 20 through 22, 2003. These meetings reviewed recent developments relating to the conflicts, critically reviewed the first drafts of the policy papers prepared for the project, reviewed the book proposals by the principal researchers, and identified new topics for research.

The third meeting of all study groups has been scheduled from February 28 through March 2, 2004 in Washington, D.C.

Publications

The project will result in five research monographs (book length studies) and about twenty policy papers.

Research Monographs. To be authored by the principal researchers, these monographs present a book-length study of the key issues pertaining to each of the five conflicts. Subject to satisfactory peer review, the monographs will appear in the East-West Center Washington series *Asian Security*, and the East-West Center series *Contemporary Issues in the Asia Pacific*, both published by the Stanford University Press.

Policy Papers. The policy papers provide a detailed study of particular aspects of each conflict. Subject to satisfactory peer review, these 10,000 to 25,000-word essays will be published in the East-West Center Washington *Policy Studies* series, and be circulated widely to key personnel and institutions in the policy and intellectual communities and the media in the respective Asian countries, United States, and other relevant countries.

Public Forums

To engage the informed public and to disseminate the findings of the project to a wide audience, public forums have been organized in conjunction with study group meetings.

Two public forums were organized in Washington, D.C. in conjunction with the first study group meeting. The first forum, cosponsored by the East-West Center Washington and United States-Indonesia Society, discussed the Aceh and Papua conflicts. The second forum, cosponsored by the East-West Center Washington, United States Institute of Peace, the Asia Program of the Woodrow Wilson International Center, and the Sigur Center of the George Washington University, discussed the Tibet and Xinjiang conflicts.

Public forums were also organized in Jakarta and Manila in conjunction with the second study group meetings. The Jakarta public forum on Aceh and Papua, cosponsored by the Center for Strategic and International Studies in Jakarta, and the Southern Philippines public forum cosponsored by the Policy Center of the Asian Institute of Management, attracted persons from government, media, think tanks, activist groups, diplomatic community and the public.

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Background of the Aceh Conflict

Aceh is the site of one of Asia's longest-running internal conflicts. Since 1976, Indonesian sovereignty over the territory has been contested by an armed insurgency led by the separatist Free Aceh Movement (GAM). A range of local grievances—especially those concerning allocation of natural resource revenues and human rights abuses—have contributed to the conflict.

Aceh, with an estimated population of about 4.2 million, is Indonesia's westernmost province. Almost all Acehnese are Muslims, and they have a reputation for Islamic piety. Most of the population is employed in agriculture, though Aceh is also rich in natural resources, especially natural gas and oil. ExxonMobil Indonesia, which operates in the Arun gasfields, is a major contributor to national revenues.

Unlike East Timor, which had been a Portuguese colony, but like other parts of Indonesia, Aceh was part of the Dutch East Indies prior to World War II. It came into the Dutch colonial empire relatively late, however. For centuries the Acehnese sultanate had been a powerful Islamic state, reaching its apogee during the seventeenth century. The Dutch launched an assault in 1873, but only managed to subdue the territory (arguably never completely) after three decades of bitter warfare.

Aceh's leaders, many of whom were *ulama* (religious scholars), mostly supported the struggle for Indonesian independence in 1945–49. Many, however, soon became disillusioned with the central government. In 1953 they launched a revolt as part of the Darul Islam (Abode of Islam) movement which joined several regional Islamic rebellions in a struggle to form an Indonesian Islamic state. The rebellion in Aceh was eventually resolved by negotiations leading to the province's nominal recognition as a "special territory."

The current separatist conflict began in 1976 when Hasan di Tiro, a supporter of Darul Islam living in the United States, returned to Aceh to form GAM and make a "redeclaration" of Acehnese independence. Initially the movement was small and Indonesian security forces soon defeated it. In 1989, a more serious outbreak of rebellion by GAM resulted in a brutal counterinsurgency operation claiming several thousand civilian lives.

In late 1998, following the resignation of President Suharto and the collapse of his authoritarian regime, conflict erupted on an even greater scale. A large student-led protest movement called for a referendum on independence similar to that granted in 1999 for East Timor. The GAM insurgency reemerged—greatly expanding the range of its operations and attacking security forces and other targets. By mid-1999, large parts of the territory were under the movement's control.

The Indonesian government responded with a mix of concessions and military action. Negotiations between the government and GAM produced two cease-fires, in June 2000 and December 2002, although neither held. In 2001, the national parliament passed a Special Autonomy Law giving Aceh considerable authority to manage its own affairs and a greater share of its natural resource revenues. Security operations continued, however, and the death toll in fighting and among civilians was considerable. Eventually, in May 2003, the peace process broke down, a “military emergency” was declared, and security forces launched a large-scale offensive.



Map of Aceh, Indonesia



- Provincial Capital
- Other Towns
- ⚡ District Boundaries

Note: Simeulue, Sabang, Lhokseumawe, and Langsa all have district status.

Note: Map boundaries and locations are approximate. Geographic features and their names do not imply official endorsement or recognition by the UN.

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About this Issue

This paper presents a preliminary analysis of the history and dynamics of Aceh's abortive peace process conducted between the Free Aceh Movement (GAM) and the Indonesian government. After surveying the origins and progress of the negotiations, the paper examines the roles played by the main players, the problems encountered along the way, and the achievements that were registered. Currently the peace process has broken down because the two parties have been unable to agree on the fundamental issue dividing them: whether Aceh would become an independent nation or remain an integral part of the Indonesian state. This essay explains the reasons for the failure of the process with the hope that the lessons learned may be of relevance to policymakers, analysts, and others with an interest in the long-term resolution of the Aceh conflict as well as other internal disputes in the region and beyond. It also suggests that the Indonesian government's current resort to a military solution is not only unlikely to resolve the conflict but may ultimately be counterproductive. Eventually a return to negotiations - not necessarily with GAM alone - will be necessary.

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