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SPECIAL REPORT

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ABOUT THE REPORT

An EU-led mission completed its mandate of monitoring and supporting the peace process in the Indonesian province of Aceh on December 15, 2006. A memorandum of understanding signed by the Indonesian government and the Free Aceh Movement in August 2005 in Helsinki had set up the mission. This report looks at the reasons for the successful outcome of the Aceh peace process, which offers useful lessons for peace implementation elsewhere.

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The views expressed in this report do not necessarily reflect the views of the United States Institute of Peace, which does not advocate specific policy positions.

Pieter Feith

The Aceh Peace Process

Nothing Less than Success

Summary

- Even though the first contacts between the Indonesian government and the Free Aceh Movement (GAM) had already taken place before the December 2004 tsunami struck, the disaster consolidated the political will to leave old grievances behind and join forces in the reconstruction process and the creation of a sustainable future for the people of Aceh.
- The determination of both parties, considerable pressure from Aceh's people, and significant support from the international community helped ensure a solution to the thirty-year armed conflict with dignity for all.
- The Aceh Monitoring Mission was the first European Security and Defence Policy operation in Asia and was conducted with five participating states from the Association of Southeast Asian Nations (ASEAN).
- The European Union (EU) and ASEAN are now in a position to build on this experience and use AMM as a model for future cooperation in crisis management between regional actors. Parallels may be drawn to the root causes and possible solutions of other, somewhat similar conflicts in the region.
- The EU will stand by the people of Aceh in the ongoing peace and reconciliation and post-conflict reconstruction processes and is determined to develop a lasting and comprehensive partnership with Indonesia.

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Introduction

The Aceh conflict has been one of the longest running in Asia. There have been several earlier attempts at peace but the right conditions for a lasting peace did not exist until 2005. The inauguration of a new, democratically elected government in Jakarta, the decision by the Free Aceh Movement (GAM) to give up its long-standing demand for independence, and the devastating tsunami were all major factors contributing to the signing of the memorandum of understanding between the parties on August 15, 2005, in Helsinki. The agreement brought an end to nearly thirty years of continuous armed conflict that

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had claimed 15,000 lives, displaced tens of thousands, and made economic and political impact on the country as a whole.

Negotiated under the auspices of former Finnish President Martti Ahtisaari, the agreement included a series of requirements by both parties to deliver peace. GAM had to give up its armed struggle and hand over all its weapons. In exchange the Indonesian government promised broad autonomy, including the right to form local political parties, and local control over a portion of the revenues from natural resources in the oil- and gas-rich province.

During the third of five rounds of negotiations, the parties sought to identify a suitable monitoring body for the eventual agreement. An Aceh Monitoring Mission (AMM) was to be established by the European Union and five ASEAN contributing countries with a mandate to monitor the implementation of both parties' commitments. The agreement also defines the tasks of the AMM.

AMM efforts to help resolve the conflict in Aceh took place in a broader context. This relatively small (with 240 personnel), civilian, and time-limited operation is expected to yield significant gains for Indonesia and the region as a whole. The strengthening of regional security and stability will further enhance Indonesia's international reputation, which is encouraging considering that the country has the largest Muslim population in the world. The positive example of Aceh might also affect other conflicts in the region.

Political Factors in the Peaceful Solution

The Aceh case may be considered as one of the few successful peace processes in 2005-06. Every conflict is different and has its own dynamics, but in the case of Aceh remarkable achievements have been reached in a relatively short time. Several specific factors contributed to this result.

The agreement had clear provisions and timelines. It included wide-ranging autonomy and explicitly excluded independence for Aceh. These were the first issues to be clarified during the talks; everything else was negotiable. The agreement is a short, uncomplicated text, covering decommissioning and demobilization of the rebels and their reintegration; political participation, including the right to establish local political parties (something completely new and controversial for Indonesia); relocation of Indonesian security forces out of Aceh; respect for human rights; amnesty for political prisoners; and a dispute settlement mechanism. Only a few gaps remained to be filled by the implementing authority. EU representatives were invited to the final stages of the Helsinki negotiations, thus creating useful synergy between negotiators and monitors.

Both parties showed strong political will to make the process work. In an early stage GAM gave up its goal of independence, and throughout the process the former insurgent group showed its sincere wish to end the armed struggle. By late 2005, GAM had given up its weapons and disbanded its military arm (the TNA). On the government side, President Yudhoyono and Vice President Kalla showed willingness to reform and modernize the Indonesian military and allow devolution of some powers to the regions. On assuming the highest office, President Yudhoyono had concluded that the military option alone would not work. In his own words, he had come to appreciate that for a peace process to be successful it would require focused, sustained, creative efforts and determination at the highest level of leadership.

A coalition of states—not an NGO—led monitoring of the agreement's implementation, and the states comprised a credible coalition with some leverage over the parties. Throughout the mission, the AMM brought the parties together to discuss and resolve issues through regular meetings of the Commission on Security Arrangements (COSA). Consisting of representatives from both sides and chaired by AMM, COSA meetings were held at both provincial (senior representatives) and local (district) levels. Thus AMM steered and gauged progress on the various steps in the implementation of the agreement and

facilitated resolution of any problems along the way. Holding meetings at district level helped disseminate the peace process, gave local leaders on both sides ownership and responsibility, and ensured that local problems were solved at the local level rather than being allowed to escalate and grow out of proportion. Furthermore, through regular, district-level COSA meetings, the number of items on the agenda at the provincial meetings was kept to a manageable level. Decisions in the COSA meetings at all levels were made by consensus, an excellent way of building confidence between the parties and the AMM.

Finally the time was ripe. The people in Aceh wanted peace. Devastated by the disastrous tsunami and tired of the conflict, they put enormous pressure on the parties to find a solution with dignity for all so they could rebuild their lives and livelihoods.

Innovative Civilian Crisis Management

Through the AMM, the EU embarked upon its first European Security and Defence Policy (ESDP) mission in Asia. AMM efforts at helping solve the conflict in Aceh were part of the EU's broader policy goal of strengthening security and stability in the region. The EU-led AMM was a concrete expression of the EU's commitment, not only to the peace process in Aceh, but also to peace and long-term development in Indonesia and the region as a whole. This is an area where the EU, the United States, and regional powers should work together through development assistance, capacity building, investment, and other supportive mechanisms. As a fully integrated mission of EU and ASEAN monitors, the AMM also brought a new dimension to the cooperation and partnership the EU is building with Southeast Asian countries.

The EU considers this effort to be an effective example of multilateralism in a world of global threats, global markets, and global media. The EU's strategic approach includes preventing states from becoming failed states, keeping them strong and united and thereby capable of meeting the challenges of modern times: international terrorism, transnational crime, proliferation of weapons of mass destruction (WMD), and violent religious extremism. Working with regional partners has improved the EU's approach to crisis management by developing sensitivity to and respect for local conditions, circumstances, and cultures. In doing so, the EU is aiming to become a global actor, not a superpower. Through its political and economic weight, resources, and shared values—call this soft power if you wish—it hopes to contribute to a safer world.

The experience gained from the truly innovative AMM will change the way the EU conducts future ESDP crisis management operations. Drawing on both civilian and military experience, the AMM had a unique mix of competencies. The future of crisis management will require a broad range of instruments and expertise—something the EU is capable of providing. The AMM has shown that the EU can conduct a complicated and successful mission far from its normal geographic sphere of interest.

The European Commission (EC) is also backing the Aceh peace process through reintegration support to former GAM combatants and technical assistance and capacity building in local governance and police training. This wider EU support also involved an election observation mission conducted jointly by the European Parliament and the EC. With these instruments and enhanced cooperation between the various EU institutions, the EU offers significant added value compared to other crisis management organizations.

Rapid deployment

Crucial to the successful start of the mission was that the parties asked the contributing countries to be present in Aceh from the day the agreement was signed. It has been said that no other mission has deployed more quickly. By bending the rules a bit, some eighty observers were deployed from day one. Because it was legally impossible for the EU to mount the formal mission earlier, an Initial Monitoring Presence (IMP) was established

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and in place on August 15, 2005, to cover the period between the agreement signing in Helsinki and the AMM's full deployment in September 2005. The IMP was set up in just twelve days. Having a presence on the ground from the minute the agreement was signed filled a potentially harmful gap that might have occurred before the AMM could officially deploy. Thus the AMM started decommissioning GAM weapons on the first day of the official mission. Immediate presence and early action definitely should become standard for future EU missions.

The AMM was carried out in full cooperation with five ASEAN countries.

EU-ASEAN cooperation

The AMM was not only the first ESDP mission the EU launched in Asia; it also was carried out in full cooperation with five ASEAN countries: Thailand, the Philippines, Brunei, Singapore, and Malaysia, which provided monitors alongside the participating European countries. In every part of the mission the AMM had fully integrated teams of EU and ASEAN monitors, and both groups of participants contributed their comparative strengths and skills. The mission also was mixed in terms of nationality and civilian and military expertise. From the top leadership to the monitors on the ground, the rule was that if a department head or team leader was Asian, his or her deputy was European, and vice versa. Consequently, the principal deputy head of mission was a Malaysian two-star general, and his predecessor during the first six months was a Thai three-star general. Most ASEAN monitors had a military background and experience in other, mainly UN, peacekeeping missions. A small number had even been in Aceh before as monitors during the cessation of hostilities agreement signed in December 2002. The ASEAN monitors tended to rotate every six months, but some key personnel, such as the ASEAN coordination officer (also the chief of the reporting and analysis cell), remained for the duration of the mission. ASEAN participation gave regional legitimacy to the mission, and the Asian monitors had a better understanding of the local culture and customs. A majority of the Asian monitors could speak the language; many were Muslims. On the other hand, the EU provided the planning and financial framework. This mutually reinforcing cooperation proved its worth and worked extremely well, including in the field, where conditions were severe.

The priority ASEAN ministers are giving to developing a security community should be seen as an important step forward.

The EU and ASEAN are now in a position to build on this experience and use AMM as a model for future cooperation in crisis management between regional actors. Parallels can be drawn to the root causes and possible solutions of other, somewhat similar conflicts in the region. With this in mind, the priority ASEAN ministers are giving to developing a security community should be seen as an important step forward. The EU and ASEAN experience in AMM has been priceless and should not be lost. To this end the two regional organizations will consider further work during their next ministerial meeting this spring.

Proactive monitoring

A monitoring mission can sit back and wait for something to happen, or it can lead and try to influence the tempo of the implementation, set priorities, and suggest the agenda to the parties. The AMM opted for a proactive approach that helped move the process forward quickly. This was appreciated by the parties, as they felt included in the process. The mission members were constantly in contact with the parties and civil society representatives, proposing new ideas and running a substantial public information campaign. This was important to create confidence and build trust between the parties. The public also needed to feel that it had a role in the process and its concerns were taken into account. Thus, the weapons taken from the rebel movement were cut and destroyed publicly for all to see, giving a strong signal that everybody's security was enhanced. Confidence and trust building are probably the most important ingredients in a post-conflict environment for furthering the reconciliation process. By conducting proactive monitoring, a mission

can also provide the best possible conditions for the self-sufficiency of the peace process, ensuring that its achievements will not collapse when the mission concludes its work.

Implications for Indonesia and the Region

The peace process in Aceh has had and will have a huge political impact on Indonesia. In many ways what the AMM has done in Aceh can be seen as a pilot project for the future of the country. Indonesia is made up of thousands of islands and has several religious directions and different ethnic groups, and this diversity has been a cause of regional discontent. With Jakarta's new approach, including wider reforms and improvement of governance, the unity of the Republic of Indonesia has grown stronger through the peace process in Aceh.

Although much remains to be done, much has changed in Indonesia since the post-Suharto interlude. Many reforms have been proposed, but it will take time for these to become reality. The reform of the military is essential and has been given priority by President Yudhoyono. Decision makers in Jakarta have publicly accepted responsibility for past mistakes, including the disastrous handling of East Timor. They have also understood the need to bring the Indonesian armed forces (TNI) firmly under democratic and civilian control. This is essential if Indonesia is to become a modern, developed country. TNI's role is changing, and a clear division of labor between the military and police came into effect some years ago, even if implementation still needs more time in some places. But perhaps most important, the military itself understands the need for accountability whenever violations, such as excessive use of force, occur.

What is happening now in Aceh is a great step forward for the strengthening of the rule of law in Indonesia. On more than one occasion the government has publicly agreed to joint COSA statements condemning the TNI for excesses committed in Aceh since the memorandum of understanding was signed. President Yudhoyono has said there was no military solution to the problem in Aceh, and TNI's leadership now shares this view. Unfortunately, this does not mean that these views are widely shared on all levels of the still very powerful military. Early in the peace process an outspoken group of retired TNI generals expressed their disagreement with the government's handling of the Aceh conflict. The military have also tried recently to block a bill in Parliament that would allow for military personnel to be tried in civilian courts for crimes against civilians.

A refreshing new openness has emerged in Indonesia. From the start, the AMM mission was able to report on Aceh to government and military officials and address its concerns directly to the highest levels in Jakarta. In particular the political leadership of President Yudhoyono has been invaluable. Through their direct involvement and unambiguous support for the peace process, particularly in the beginning when the actors involved were unsure, the president and vice president personally ensured the best possible conditions for the mission to bring the process to a successful conclusion. Since assuming office the Yudhoyono/Kalla partnership has sincerely embarked on the path of improvement and reform. This kind of approach has the potential to strengthen Indonesia as a leading nation in the region and a responsible international partner in a challenging world with new security threats.

Indonesia is becoming more mature and increasingly self-confident. There is a growing understanding that decentralization does not mean separatism and the word "federalism" is no longer taboo. Other regions besides Aceh have long demanded devolution of powers to the provinces, and Jakarta is seriously considering it. The new Law on the Governing of Aceh could be a model for autonomy legislation for other parts of Indonesia. Local political parties, independent candidates, and a share in the management of Aceh's vast natural resources are all part of the package. During the parliamentary debate, ministers and parliamentarians were well aware of the special and sometimes intense interest of several other Indonesian provinces. It is clear that many people see Aceh as a model for the future unity of Indonesia.

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Other regional nations also see the advances in Aceh positively. It is not in their interest to have fragile breakaway states providing a breeding ground for discontent, religious extremism, and violence.

The agreement's signing has had some direct implications for the region. Stability is undoubtedly increasing. For example, incidents of piracy in the Malacca Straits have decreased considerably since the signing of the Aceh peace agreement, opening new opportunities for cooperation among the countries bordering a key sea channel between continents. Peace in Aceh has also opened the possibility for the Acehnese diaspora to explore returning. This could further facilitate relations between neighbors in Southeast Asia, particularly Indonesia and Malaysia.

Future Challenges

The continuing peace process

It is always difficult to find the appropriate time for a mission to leave. Foreign presence in any country will always be controversial but unfortunately needed in post-conflict conditions. Therefore missions should have a clear mandate with predefined tasks. Operations should deploy quickly on demand and not overstay their welcome. There are no quick fixes and assistance is often needed over long periods. But crisis management operations should not engage in long-term development programs. Other experts should take over, building on advancements made during initial crisis management. This is where the EU has an advantage over other crisis management organizations, considering its civilian and military capabilities.

In Aceh, however, some points in the agreement outside the AMM mandate have not yet been fully implemented. Many of these are related to implementation of the Law on the Governing of Aceh, in areas such as economic governance, management of resources, and delegation of authority, on which the parties will need to agree. Reintegration is also a longer-term activity that will require the parties' ongoing attention. In this regard, Forum Bersama or Forbes (Joint Forum), a think tank attached to the implementing reintegration agency, will be an important place for all stakeholders in reintegration to discuss various issues.

The peace process belongs to the people of Aceh and the signatories of the memorandum of understanding. Together with the new, democratically elected governor, and with the continued support of the EU, ASEAN, and the wider international community, the parties now need to finalize the long-term implementation of the agreement and the fundamentally important reconciliation process.

The EU will continue to take an interest in the sustainability of the peace process, and the EC will remain engaged through various programs. The dispute resolution mechanism in the agreement will remain active. President Ahtisaari, his Crisis Management Initiative, the former AMM head of mission, and his two ASEAN principal deputies will remain available on an ad hoc basis to help resolve disputes in the unlikely event they occur.

The responsibility to consolidate peace and reconciliation now lies directly with the parties, but they will benefit from the assistance of Inter-Peace, an NGO (also chaired by Ahtisaari) that will liaise in Aceh with the government, GAM, and civil society. Inter-Peace has a four-year mandate and consists of mainly Acehnese people and a small number of international personnel, including former members of AMM.

The future of GAM

Perhaps the best proof of progress made over the past months was the first direct and democratic local election ever held in Aceh, December 11, 2006, in which former rebels

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(and other Acehnese) could freely participate as independent candidates. The election of a former GAM rebel, Irwandi Yusuf, as governor of Aceh probably will prove beneficial to the peace process, depending on his leadership, his ability to retain the trust and confidence of Jakarta, and his continuing respect for the Helsinki agreement.

GAM has committed itself publicly to become a local political party within six months of the enactment of enabling legislation and to cease to exist as a rebel movement shortly thereafter. It will be particularly important to ensure that the recent split in GAM does not isolate one faction of former GAM members and prevent them from receiving the support and assistance to which they are entitled under the agreement. This difference of views within the rebel movement is not recent, having resurfaced during the elections, when the Swedish-based, exiled leadership supported a ticket for governor and deputy governor under the umbrella of an established national political party, while most of the local commanders backed Yusuf and Nazar, who stood as independent candidates.

Merging of post-tsunami and post-conflict programs

Looking ahead to the period following the AMM's departure and the inauguration of a the new governor, the reintegration efforts for the victims of the conflict, as well as the reconstruction of houses and infrastructure ruined by the December 2004 tsunami, will have to be included in longer-term programs benefiting all affected citizens of Aceh. This will be a further step toward normalizing the situation. As the situation is now, there is a risk of creating tensions and jealousies among people who benefit from different support programs.

The EC and member states can and should continue to support the peace process by supporting reintegration of former GAM members, GAM's transition to a political party, capacity building for Aceh's new governor and civil administration, training for police in community policing and human rights, and assistance to civil society groups to improve their effectiveness and contribution to Aceh's growing democracy.

But Aceh (and Indonesia) needs more than development and capacity building. AMM monitors have reported and a recent survey has indicated that most people in Aceh are primarily concerned with their economic well-being. In the longer term, the best way the international community can support peace in Aceh is through trade, investment, and job creation.

Remarkable progress has taken place in Aceh in a very short time. The province has changed, peace and stability have been restored, and the lives of ordinary people have improved immensely as they have gained freedom of speech and movement. As survivors of two disasters, the devastating tsunami and the thirty-year conflict, Aceh's people deserve no less.

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The EC and member states can and should continue to support the peace process.

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