

**WARID:** Indonesia (Aceh)  
**STARDATE:** 8 January 1999  
**ENDDATE:** 15 August 2005  
Related cases: none  
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### **Conflict overview**

On 4 December 1976, Hassan Muhammad di Tiro founded the Aceh-Sumatra National Liberation Front (later known as the Free Aceh Movement, GAM).<sup>1</sup> Based on the assumption of a historically independent Acehnese nation, he declared Aceh's independence from "the foreign regime of Jakarta and the alien people of the island of Java" (di Tiro 1984).<sup>2</sup> The GAM waged a guerilla war for independence against the Government of Indonesia (GoI) from 1999 to 2005. The movement reached the height of its power in 2000/2001. Estimates of the number of fighters at the movement's command do, however, differ drastically. Most independent observers put the number at around 2,000 but admit that the number of civilian supporters was much larger. In 2003, the Indonesian Government estimated that it was facing 5,000 GAM fighters in Aceh while the movement itself boasted commanding 30,000 guerrilleros. The tide turned in favor of the GoI after the declaration of martial law over Aceh in 2003.<sup>3</sup> Ultimately, 40,000 Indonesian soldiers fought the separatists. Attempts at mediation by the former Henri Dunant Centre (now the HD Center for Humanitarian Dialogue) in 2000 and 2002 rapidly collapsed. From 2003 onwards, future Indonesian Vice-President Jusuf Kalla sought to restart the dialogue. On 26 December 2004, a devastating tsunami struck Aceh, leaving over 165,000 dead and destroying the province's capital Banda Aceh. In the wake of the disaster, the GAM declared a unilateral ceasefire. Under pressure from donors and relief agencies, peace negotiations started in Helsinki in January 2005, mediated by former Finnish President Martti Ahtisaari and his Crisis Management Initiative. These talks culminated in the signing of a Memorandum of Understanding (MoU) between the two parties on 15 August 2005.<sup>4</sup>

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- 1 The members of GAM contested the modern spelling of the province *Aceh*, preferring instead *Acheh* or *Atjeh*. In the following, this text will abide by the official modern spelling, except for citations.
  - 2 Indeed, the Sultanate Aceh Darussalam was an independent state until 1904 when the last Sultan abdicated. Until 2002, the aim of GAM was the re-establishment of that Sultanate.
  - 3 In May 2004, the military emergency was downgraded to a civil emergency (Aspinall 2009: 230).
  - 4 Aspinall 2009; Heiduk 2004; Heiduk 2005; International Crisis Group 2005a; Miller 2008.

As the signing of the MoU halted the fighting and initiated a comprehensive peace process, both the Uppsala Conflict Data Program (UCDP) and case-specific literature concur in assessing that the war ended with a peace agreement [**WARENDUC=1; WARENDOS=1; WARDUR=79**].<sup>5</sup> The UCDP's best estimates indicate 2,148 battle-related deaths between 1999 and 2005. Fatalities attributed to one-sided violence by both the GAM and the GoI have to be added to this figure. However, as the majority the one-sided violence by the GoI was connected to the conflict in East Timor in 1999 while only a minority of it was in 1999, we only take one and two thirds of the killings, respectively, for these years in calculating the total death toll. Considering this, the UCDP estimates that a total of 2,840 people were killed [**FATALUC=3000**]. According to case-specific literature, data on victims of the conflict was still being collected. Consequently, there are no precise figures as of this writing. Drawing on various newspaper reports and annual death tolls by the military, Edward Aspinall (2009: 2, 255) accounts that at least 7,200 people died in the course of the conflict. However, he maintains that these sources underreport the deaths by about 30%. He therefore concludes that a total of 9,400 people died [**FATALOS=9000**].

A 1995 Inter-Censal Population Survey puts Aceh's population to 3,848,000 [**PREWARPO=3800000**]. Thus, the death toll amounts to 0.08% or 0.24% of the pre-war population, depending on the death toll used [**INTENSUC=0.08; INTENSOS=0.24**].<sup>6</sup>

### **The military balance at the end of the war**

The war in Aceh did not end with a decisive military victory for either side [**VICTORY=0**].<sup>7</sup> Although the GAM was significantly weakened in the course of the military emergency, the Indonesian Armed Forces (TNI) were nowhere near realizing their goal of destroying the insurgent organization. Moreover, Aceh's population was alienated from the Indonesian state as the TNI committed atrocities against civilians. The GAM fed off of Indonesian military excesses that allowed it to recruit new fighters from among victims and rally support, especially among the rural Acehnese. Thus, the TNI feared that no matter how far into the hinterland it could push the GAM, the organization would eventually resurrect itself. In 2005,

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5 The Uppsala Conflict Data Program (UCDP) Conflict Encyclopedia (<http://www.ucdp.uu.se/gpdata/gpcountry.php?id=75&regionSelect=11-Oceania#>) acknowledges the date of the signing of the MoU (15 Aug 2005) as the end of the war while the UCDP's Conflict Termination Dataset ([http://www.pcr.uu.se/digitalAssets/124/124924\\_1ucdp\\_conflict\\_termination\\_2010\\_dyad.xls](http://www.pcr.uu.se/digitalAssets/124/124924_1ucdp_conflict_termination_2010_dyad.xls)) holds that the war in Aceh only ended on 12 October 2005. Case-specific literature exclusively mentions August 15, 2005 as end date. Hence, we will deviate from the UCDP Conflict Termination Dataset on this matter. This naturally has repercussions on the war duration in months as well.

6 [http://www.datastatistik-indonesia.com/portal/index.php?option=com\\_tabel&kat=1&idtabel=111&Itemid=165](http://www.datastatistik-indonesia.com/portal/index.php?option=com_tabel&kat=1&idtabel=111&Itemid=165) (15 May 2014).

7 Aspinall 2009: 151.

the chief of the TNI admitted in a public statement that the root of the conflict in Aceh was disillusionment; it therefore could not be resolved by military force (Aspinall 2005: 7-15). Additionally, Susilo Bambang Yudhoyono and Jusuf Kalla emerged as president and vice-president from the 2004 presidential elections in Indonesia, which decisively strengthened the pro-negotiation faction in Jakarta. When the devastating tsunami hit Aceh's west coast on 26 December 2004, Kalla had already, and with some success, attempted to restart negotiations for a year. After the tsunami, the TNI had to assign some of its soldiers in Aceh for relief work. Nevertheless, it reportedly continued its attacks on the GAM, despite a proclaimed ceasefire. Still, it is important to note that the tsunami provided both parties to the conflict an opportunity to compromise without losing face: the GAM could finally capitalize on the internationalization of the conflict it had striven for and the GoI could sell the negotiations and the MoU as a humanitarian response rather than a policy reversal. Moreover, it hoped that a weakened GAM might be more disposed to agree to Jakarta's terms. Indeed, the TNI's military superiority was transformed into a GoI advantage at the negotiation table (Aspinall 2005: 7, 13, 19-21). As the GAM had been extraordinarily strong in 2000/2001, its position at the end of the war looked especially dire. For these reasons, we cannot, however, speak of a military victory for the GoI.

During the war, the GAM, as a guerilla organization, was unable to take and hold territory for any long period of time; it did, however, manage to disable the bureaucracy and harass security agents. From late 1999 onwards, local governments were in a state of paralysis. Even the district offices ceased to function in the regions worse hit by the insurgency. The GAM took over administrative charges in large parts of Aceh – several village leaders and higher bureaucrats switched their allegiance (Aspinall 2009: 158-159, 170). The GAM also collected war taxes both from civilians and from large firms in the cement, fertilizer and gas industries (Aspinall 2009: 178). In 2001, approximately 80% of the territory of Aceh (3,500-5,000 villages) was under GAM influence (Stange/Patock 2010: 98). This only changed after the declaration of the military emergency in Aceh in 2003. Even then, the TNI did not succeed in reducing the GAM to its pre-1998 strength; their offensives still had significant impact, especially on the separatists' civilian infrastructure. In particular, the GAM's urban bases virtually disappeared (ICG 2005a: 4-5). Thus, at the end of the war, the rebels had experienced a significant loss in the territory they controlled [**REBTERR= -1**]. Though the GAM's rural basis remained strong, the GoI was in control of larger parts of Aceh by the end of the war [**MORETERR= -1**].

In the 1990s, the GAM was transformed from an elite movement into a popular movement. (Stange/Patock 2010: 98). Still, as indicated by Cunningham et al. (2009), their fighting capacity, compared to the TNI's, was low [REBFIGHT= -1]. During the military emergency, the rebels were constantly being pushed farther into the rural hinterland (Aspinall 2009: 151). The only base left untouched and operating was in Peurelak, East Aceh. All other bases were in disarray or had been damaged by TNI offensives or by the cutting of GAM supply lines and communications (ICG 2005a: 4-5). In the Central Highlands, the GAM's situation was particularly dire and the guerilla fighters suffered from hunger. In other regions, they retreated into the mountains but were hampered in their fighting capacity by the many civilian refugees accompanying them (Aspinall 2009: 230). Hence, by the end of the war, only the TNI was able to continue fighting the way it had before [CONFIGHT= -1].

In September 2004, the GAM military commander Ishak Daud was killed during a military operation (ICG 2009: 8). However, he was quickly replaced by Ridwan Abu Bakar, alias Nek Tu. Likewise, the GAM top commander ('Panglima Besar') Abdullah Syafi'i was killed in early 2002, but replaced by Muzakkir Manaf. GAM's political leadership, comprising, among others, of its founder Hassan di Tiro, 'Prime Minister' Malik Mahmud and 'Foreign Minister' Zaini Abdullah, was exiled in Sweden and did not suffer any casualties, nor did the TNI leadership or that of the GoI [LEADER=0].

In total, the military balance at the end of the war indicates a considerable advantage for the government [WARBAL= -0.67].

### **The post-war military balance**

The MoU stipulated concrete measures for the disarmament, demilitarization and reintegration of both the GAM and the TNI. The GAM committed itself to demobilize all of its 3,000 military troops (MoU 2005: art. 4.2) and to decommission all arms, ammunition and explosives. The number of arms to be handed over and destroyed was fixed at 840 (art. 4.3). The GoI pledged to withdraw all non-organic military and police forces (art. 4.7). These measures were scheduled to begin on 15 September 2005 and be completed by 31 December 2005 (art. 4.4). Though the MoU states in article 3.2.7 that "GAM combatants will have the right to seek employment in the organic police and organic military forces in Aceh without discrimination and in conformity with national standards", no concrete measures for their inclusion into the state forces were agreed upon. All case-specific literature focuses exclusively on the former combatants' social reintegration, for which the MoU stipulates concrete measures in chapter 3. Moreover, the relationship between the TNI and the GAM

remained characterized by suspicions and mutual loathing (ICG 2009: 1, 5f). Hence, we can assume that no significant inclusion of former GAM combatants into the TNI or police stationed in Aceh took place [**STATEFOR 2005-2012=-1**]. By late 2005, the GAM had handed in the required weapons and disbanded its military wing (Feith 2007: 2). The GoI had likewise withdrawn all non-organic police and soldiers (ICG 2005b: 1, 2). According to the MoU, the number of TNI and police to remain in Aceh was 14,700 and 9,100, respectively (MoU 2005: art. 4.7). In the post-war period, the police force was increased to 13,000 with the GAM's consent (ICG 2009). As highlighted above, it seems highly unlikely that a significant number of former GAM combatants were included into the organic military or police. Thus, we regard the military and police as a separate force of the GoI [**SEPFORCE 2005-2012=-1; TROOPS 2005-2012=n.r.; ARMS 2005-2012=n.r.**].

As the GoI had its separate forces stationed in Aceh, it clearly did exercise some control over the disputed territory. It would be wrong to suggest, however, that this was to the detriment of the former rebels. When disbanding its military wing, the GAM created the Aceh Transitional Committee (KPA) for its former fighters. The KPA was led by former military commander Muzakkir Manaf and it left the GAM's command chains intact – at least in the immediate post-war years and likely up until today. The KPA's structures covered all levels of society, even down to the village level. Although the GAM had refrained from collecting war taxes, the KPA soon embarked on practices of extortion. Since KPA members often outnumbered police officers in rural areas, they considered themselves as standing above the law (ICG 2007b: 6; ICG 2009, 1). Consequently, the former rebels also exercised control over the disputed territory. This was somehow formalized by the electoral victory of GAM candidates in the elections for governor and district heads in 2006 and for all subsequent elections. From 2009 onwards, the GAM, through its local political party Partai Aceh, controlled both the executive and the legislature in Aceh [**TERRCON 2005-2012=0**].<sup>8</sup> Neither of the parties undertook to militarily conquer more of the disputed territory in post-war years; however, starting with the December 2006 gubernatorial, district and village head elections, the GAM entered the government of Aceh. In all subsequent elections, the GAM managed to strengthen its hold on the Acehnese administration and legislature, marginalizing the traditional national parties. Thus, the GAM gained civil control over the disputed territory in the post-war period [**TERRWIN 2005-2006=0, TERRWIN 2007-2012=1**]. Neither side is to be considered more vulnerable in its territory [**VULNERAB 2005-2012=0**].

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8 Aspinall 2009: 221; Stange/Patock 2010: 110, 114.

In order to monitor the peace process and ensure compliance with the MoU, article 5 of the MoU stipulates the creation of an unarmed EU/ASEAN joint Aceh Monitoring Mission (AMM). It was also given the mandate to rule in case of any disputes (MoU 2005: art. 5). The first monitors were present in Aceh starting on the day of the MoU's signing. When AMM's mandate first expired on 15 September 2006, it was prolonged for a further three months to guarantee the monitoring of Aceh's first local elections in December 2006 (Schweisshelm 2006: 1). Apart from the AMM, no armed peacekeepers were ever present in Aceh [PEACKKEEP 2005-2012=n.r.].<sup>9</sup> Although the GAM always struggled to internationalize the conflict, it did not win the support of any permanent members of the UN Security Council; nor did Indonesia [P5ALLY 2005-2012=n.r.].

In contrast to the military balance at the end of the war, the military balance in the post-war period was more balanced, especially after the GAM's success in the December 2006 elections [POSTBAL 2005-2006= -0.4, POSTBAL 2007-2012= -0.2]. In sum, the military balance indicates a slightly declining advantage for the government [BALANCE 2005-2006= -0.53, BALANCE 2007-2012= -0.43].

## Economy

Indonesia's gross domestic product (GDP) per capita almost tripled between 2005 and 2012.

Table 1: GDP per capita in Indonesia in current USD<sup>10</sup>

<i>Year</i>	<i>Population</i>	<i>GDP per capita</i>
2005	224,480,901	1273
2006	227,709,821	1601
2007	230,972,808	1871
2008	234,243,489	2178
2009	237,486,894	2272
2010	240,676,485	2947
2011	243,801,639	3471
2012	246,864,191	3557

## The scale of compromise after the war

In its preamble, the Helsinki MoU committed the parties, first and foremost, to “creating conditions within which the government of the Acehnese people can be manifested through a fair and democratic process within the unitary state and constitution of the Republic of Indonesia”. Article one contained ample provisions on the governing of Aceh, especially with respect to local parties and independent candidates and the sharing of revenues from oil and

9 Fortna 2008.

10 <http://api.worldbank.org/v2/en/country/idn?downloadformat=excel> (12 May 2014).

gas resources. These were to be enshrined in a Law on Governing Aceh (LoGA), passed by the Parliament of Indonesia no later than March 2006 (MoU 2005: art 1.1.2).<sup>11</sup> In a widely participatory process, the then-Acehnese government and provincial legislature, the GAM, worked out a draft LoGA along with civil society representatives from Aceh; the final version was significantly watered down by the GoI and the national parliament. It was finally passed with some delay on 11 July 2006, scheduling the Acehnese local elections for governor, district and village heads for 10 December 2006 (Schweisshelm 2006: 1). Until these elections, a GoI-backed governor continued to serve as head of Aceh's administration [GOVERN 2005-2006= -1]. In line with the consensus reached in the MoU, the LoGA provided the legal framework for local parties and stipulated that such parties would henceforth be entitled to contest the local elections in Aceh. Considering that the GAM would not have enough time to form a party by the December 2006 elections, the LoGA also allowed party-independent candidates to run for governor and district or village head (art. 67, 256). In the run-up to these elections, a rift surfaced between the GAM and the KPA, dividing the old-guard exile leadership as well as the military commanders and young fighters. The former wished to support the candidate of a national party in the race for governor, with a GAM member running as his deputy, whereas the young fighters opted for an independent ticket: the GAM's chief ideologue and strategist Irwandi Yusuf (ICG 2006b: 1). In the end, Yusuf was elected governor of Aceh with 38% of the votes and GAM members were elected as mayors and district heads in six out of 19 provinces (Aspinall 2008: 46). After a few other district elections in 2007 and 2008, the GAM – apart from counting the governor among its ranks – had 49.6% of Aceh under its administration (ICG 2007b: 2). However, as legislative elections were only to take place in 2009, the GAM remained excluded from Aceh's provincial parliament [GOVERN 2007-2008=0]. In early 2008, the Aceh Party (Partai Aceh, PA) was established as the GAM's political vehicle (Stange/Patock 2010: 96). It ran for the first time in the April 2009 legislative elections and immediately won 33 out of the 69 seats in the regional parliament (48%) and an absolute majority of seats in seven district assemblies. Furthermore, it became the largest political group in another 9 districts, winning between 20% and 36% of the seats (Stange/Patock 2010: 110, 114). Thus, from 2009 onwards, the GAM and the PA dominated both Aceh's executive and legislature. This hold was further strengthened by the landslide victory the PA candidate for governor, Zaini Abdullah, achieved in the elections 2012 [GOVERN 2009-2012=1].<sup>12</sup>

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11 In fact, the LOGA is basically the 2001 autonomy law (Undang-Undang 18/2001) with some additions.

12 Nolan, Cilian 2012: Elections in Aceh and Timor Leste: After the Struggle, in: The Jakarta Post, 19 Apr 2012.

For the period between the signing of the MoU and the first legislative elections after the war – in which the GAM had the possibility to participate –, the peace agreement stipulated that the provincial parliament could not enact any law without the consent of the governor, so as not to exclude the GAM from the decision-making process. Yet, the veto only served this purpose after the GAM had won the elections for governor in 2006 [**VETO 2005-2006= -1, VETO 2007-2008=0**].<sup>13</sup> It expired with the 2009 elections to the provincial parliament in which GAM won control over Aceh’s legislature. Thus, starting in 2009, the GoI and national parties were largely marginalized in the decision-making process in Aceh [**VETO 2009-2012=1**]. Neither side challenged the veto right. [**VETOSAT 2005-2006=n.r., VETOSAT 2007-2008=0, VETOSAT 2009-2012=n.r.**].<sup>14</sup>

As we have outlined above, the GAM and, from 2008 onwards, its political party PA were allowed to participate in all post-war elections, and they did so with great success. Apart from the GAM, a number of other local and national parties participated. Local political parties may only participate in provincial and district-level elections, though dual membership in both a national and a local party was permitted after 2007 (Hillman 2010: 3). Although the GAM and the PA reportedly made use of intimidation tactics and pre-election violence also took place, all Acehnese elections have been judged as ‘basically free and fair’ by Freedom House (2014). For the 2006 elections, a European Union Election observer mission was deployed who assessed the elections as largely “transparent, peaceful and orderly” [**ELECT 2005-2006= -1, ELECT 2007-2012=0**].<sup>15</sup>

The GAM had always demanded Aceh’s independence from Indonesia, which it deemed the historical right of all Acehnese (Aspinall 2009: 2-3; di Tiro 1976). Yet, upon the signing of the MoU, the GAM dropped this claim, settling for self-government within the Republic of Indonesia [**EXBORDER 2005-2012= -1; INBORDER 2005-2012=n.r.**]. The GoI has always been highly reluctant in granting autonomy to one of its provinces, as it feared that this might trigger a centrifugal movement of other provinces away from Jakarta. In order to stop the war in Aceh however, the GoI agreed to grant Aceh authority within all sectors of public affairs except for “governmental affairs having the characteristics of national affairs, foreign affairs, defense, security, judicial, monetary, national fiscal, and certain affairs in religious sector” (LoGA 2006: art. 7, 1-2). Even though this provision in the LoGA meant a reduction of the powers granted in the MoU, there was still a significant compromise regarding the

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13 MoU 2005: art. 1.2.4.

14 Indeed, our reviewer pointed out that, after the 2009 elections, there was a Constitutional Court appeal against the PA. However, it was overturned on the grounds that coercion and violence have to be accepted in a society in transition from war to peace.

15 ICG 2007a: 2.



allocation of competences between Jakarta and Banda Aceh [**COMPETEN 2005-2012=0**]. Nonetheless, one controversy that remained was related to decisions made by the national government or legislature with respect to Aceh. The MoU stipulated a veto power for the governor or parliament of Aceh in such cases. However, this provision was strongly softened in the LoGA, which only states that such decisions should be made in consideration of the view expressed by Aceh. This provision was widely contested in Aceh as a breach of the MoU. Furthermore, the presidential regulation on what this consultation mechanism will look like and especially how dissent will be managed has not yet been enacted (ICG 2008: 9–10). Thus, the government and parliament of Aceh did not have any guaranteed veto rights in regards to national decisions that concern them.

The GAM's struggle was fuelled by economic grievances as well. Aceh is rich in natural resources: vast oil and gas resources were discovered in North Aceh in 1971. In order to exploit them, Acehnese villagers were forced to resettle and a great influx of non-Acehnese workers occurred. However, the profits were mostly siphoned out of Aceh by Jakarta (Miller 2008: 14). In the MoU, the GAM and the GoI agreed that Aceh may retain 70% of the revenues from current and future hydrocarbon deposits or other natural resources on the territory of Aceh and in the territorial waters surrounding it (MoU 2005: art. 1.3.4). The LoGA reiterates this portion in article 180, clauses 1b and 3. It further stipulates the Joint Management of Oil and Gas natural resources located inland and in the territorial Sea of Aceh (LoGA 2006: art. 160). However, the implementation of this latter LoGA provision and establishment of the Joint Oil and Gas Management Agency still lacks the required government regulation. Though a consensus between the GoI and the Government of Aceh had reportedly been reached on most points by 2012, one essential issue remained controversial: Aceh demanded the extension of the joint management provisions and the sharing of revenues up to the 200-mile zone. The Indonesian Ministry of Finance objected to this, insisting that only the 12-mile zone is under the jurisdiction of Aceh [**ECONOMY 2005-2012=0**].<sup>16</sup> In order to provide justice for Aceh and the conflict victims, the MoU stipulated the creation of a Human Rights Court (HRC) and a Truth and Reconciliation Commission (TRC) for Aceh (MoU 2005: art. 2.2 and 2.3). LoGA articles 228 and 229 embrace these measures but limit the court to investigating only human rights violations that occurred after the promulgation of the LoGA in 2006. The TRC for Aceh was designed as an integral part of the Indonesian TRC. Although GAM and PA members repeatedly asked for it, neither the HRC nor the TRC for Indonesia, let alone for Aceh, have been established. Overall, the

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16 Crisis Management Initiative 2012: 23–24; Herbst 2004: 55.

establishment of the HRC and the TRC for Aceh seems to be largely a civil society demand, while the commitment of the relevant political actors on both sides remains doubtful (Avonius 2007; Hadi 2008). As the GoI is especially worried about having human rights violations committed by the TNI failing to provide the necessary legislation, we conclude that Jakarta prevailed on this issue [ISSUE 2005-2012= -1; SPECPRO 2005-2012=n.r.; ISSUE2 2005-2012=n.r.].<sup>17</sup>

Several important controversies were linked to the LoGA and to the reintegration of former GAM members after the end of the war. As especially the latter is crucial to the peace process and features prominently in virtually all case-specific literature, we will briefly outline the central problems related to reintegration measures. However, since these are generally not conflicting issues between the GoI and the GAM, but rather concerns within Aceh or even the GAM, they do not qualify as a central issue between the warring parties that emerged in the post-war years [NEWCON 2005-2012=n.r.; NEWCON2 2005-2012=n.r.].<sup>18</sup>

The MoU made concrete provisions on amnesty and reintegration measures. The peace agreement guaranteed amnesty for all persons who had participated in GAM activities and the release of political prisoners within fifteen days of the MoU signature (MoU 2005: art. 3.1). Amnesty was not to be granted to prisoners charged with purely criminal offences. However, before the 2003 military emergency, GAM members had rarely been imprisoned on political charges, so that the GAM claimed the release of many more prisoners. Yet, most such disputes could be settled through the mediation of the Aceh Monitoring Mission. The number of GAM fighters to be demobilized and assisted was fixed at 3,000. Problems arose from the fact that this number grossly underestimated reality. Especially those in civilian roles (police, administration) and logistical support had not been counted; it also excluded the widows and dependents of deceased GAM fighters (ICG 2006a: 6). According to the International Crisis Group (2007b: 9), the real number was most likely closer to 15,000. The GoI agreed to channel the first payments, designed to assist 3,000 people, through the district GAM commanders who received an initial Rp 1.8 billion (1.8 million USD). Each commander was allotted a share of this money to distribute, based on a calculation of fighters per district. Most

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17 Aspinall 2007: 5.

18 One might also consider that the demand to divide Aceh by creating two new provinces represents a new issue in the conflict. The population of the Central Highlands and Southwest Aceh, which is mostly not ethnic Acehnese, has striven to form an Aceh Leuser Antara (ALA) and an Aceh Barat Selatan (ABAS) province (ICG 2005b: 10). The GAM is vehemently opposed to this, claiming that it would represent a breach of the MoU and the LoGA that recognize Aceh within its 1956 borders (MoU 2005: art. 1.1.4; LoGA 2006: preamble). However, although some national parties, including former President Megawati Sukarnoputri, are in favor of dividing Aceh, Susilo Bambang Yudhoyono, President of Indonesia throughout the entire post-war period, was always opposed (ICG 2005b: 10; ICG 2008: 7). Therefore, the question of the creation of ALA and ABAS is not a conflicting issue between the GAM and the GoI and hence does not qualify as 'NEWCON'.

GAM members received a small fraction, many nothing at all. Allegations of corruption surfaced as there was no control over how the money was spent. Still, this way of distributing funds strengthened the KPA's command structure and patronage networks (Avonius 2011: 17–18; ICG 2007b: 9). February 2006 saw the creation of the Aceh Reintegration Agency (Badan Reintegrasi Aceh, BRA) by the Governor of Aceh that was charged with the task of organizing the distribution of reintegration funds and managing reintegration programs (Avonius 2011: 1). Especially in the first years of its existence, it was reproached due to a lack of accountability, strategy and clearly defined goals. The definition of those people who were eligible for reintegration assistance was so broad and hazy that practically anyone could apply. Until 2010, the BRA had received a total of 225.8 million USD in funds. The BRA was to be closed down in 2012, by which time the GoI held that it fulfilled its financial obligations (Avonius 2011: 8, 15-16, 24).<sup>19</sup> Discontent among the GAM rank-and-file was fuelled by the feeling that reintegration money had only been used for enriching former commanders and that they had not received their fair share (ICG 2007b: 1).

The GoI was generally slightly favored in the compromises that were implemented. This was especially true after the LoGA had significantly watered down some of the peace agreement's provisions and amplified Jakarta's powers in and with relation to Aceh. The GAM argued that it represented a breach of the MoU on several points, while the Parliament of Indonesia insisted that the MoU was not legally binding since it had been excluded from the negotiations that led to the agreement [**BENEFIT 2005-2012= -1; BENEFIT2 2005-2012=n.r.**].

In sum, the post-war order strongly favored the government in 2005 and 2006 but became more and more balanced with the GAM's successes in the 2006, 2009 and 2012 elections [**COMPROM 2005-2006= -0.75, COMPROM 2007-2008= -0.33, COMPROM 2009-2012= -0.13**].

### **Stability of peace**

From 2006 onwards, a number of anti-MoU groups emerged and became involved in violent incidents such as armed robberies, shootings and kidnappings. Their struggle, however, seems to be less ideological and more rooted in poverty and unemployment (Stange/Patock 2010: 110). For similar reasons, former GAM members and commanders have been involved in criminal activities that include illegal logging, armed robberies and extortion. Additionally, since the signing of the MoU, Aceh had seen some pre-election violence, though no relapses

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<sup>19</sup> Instead of being abolished, the name of the BRA was changed in January 2013. It is now called the Badan Penguatan Perdamaian Aceh (BP2A) (Peace Strengthening Board).

into civil war [SAMEWAR=0; DATESAME=n.r.; ANYWAR=0; DATEANY=n.r.]. The peace process that was initiated by the MoU in August 2005 remains on track [PEACMON1=89; PEACMON2=89].

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