**Peacebuilding in Aceh: After 15 Years of the Helsinki MoU**

**Rico  Novianto  Hafidz**

**A Thesis Submitted in Fulfillment of the Requirements for the Degree of**
**Master of Arts in Conflict and Peace Studies**
**Prince of Songkla University**
**2023**

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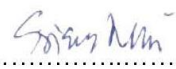
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# ABSTRACT

After the Helsinki MoU in 2005, the long history of conflict in Aceh between the Free Aceh Movement and the Government of Indonesia (GOI) was officially resolved. Following the MoU in Helsinki, both parties have worked out social, economic, and political initiatives. This research examines how local and central administrations have implemented the peace agreement and how such implementation has affected the Acehnese people. The research used a qualitative approach to investigate the state of Aceh by conducting in-depth interviews with various representative respondents. The total key informants were interviewed between October 2021 and August 2022. The key informants were divided into five groups: the local government, the GOI, researchers or academics, the Acehnese people, and the former Free Aceh Movement. The findings from the Acehnese people or the former Free Aceh Movement revealed that the peacebuilding in Aceh had been implemented by the GOI within Special Autonomy and violence abstinence in Aceh. This study analysis recommended several alternatives for Aceh peacebuilding through performing good governance in the Aceh government, improved special Autonomy Funds, and commodity sustainability in Aceh.

**Keywords:** Peacebuilding, Aceh, Special Autonomy, Helsinki MoU

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Rico Novianto Hafidz

Novianto

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| | |
|---|---|
| AMM | Aceh Monitoring Mission |
| ARMM | Autonomous Region in Muslim Mindanao |
| ASEAN | Association of Southeast Asian Nations |
| BARMM | Bangsamoro Autonomous Regions in Muslim Mindanao |
| BOL | Bangsamoro Organic Law |
| BPS | Center of Statistics Body |
| CMI | Crisis Management Initiative |
| COHA | Cessation of Hostilities Agreement |
| DOM | Daerah Operasi Militer (Military Operation Area) |
| EU | European Union |
| GOI | Government of Indonesia |
| GAF | General Allocation Fund |
| GAM | Gerakan Aceh Merdeka (Free Aceh Movement) |
| GRDP | Gross Regional Domestic Product |
| HD | Humanitarian Pause |
| HDI | Human Development Index |
| ICRC | International Committee of the Red Cross |
| IIS | Islamic Indonesia State |
| LoGA | Law of Governing Aceh |
| MILF | Moro Islamic Liberation Front |
| MOCI | Ministry of Communication and Information |
| MOCPS | Ministry of Coordinating for Politics and Security |
| MOF | Ministry of Finance |
| MOFA | Ministry of Foreign Affairs |
| MOHA | Ministry of Home Affairs |
| MOLHR | Ministry of Law and Human Rights |
| MNLF | Moro National Liberation Front |
| NGO | Non-Governmental Organization |
| SAF | Special Autonomy Fund |
| SFP | Sabang Free Port |

| | |
|---|---|
| TNI | Tentara Nasional Indonesia (Indonesian Military) |
| UN | United Nation |
| UNDP | United Nations Development Program |
| UNESCO | United Nations Educational, Scientific and Cultural Organization |
| USD | US Dollar |
| WHO | World Health Organization |

# List of Acronyms

| | |
|---|---|
| APBN | Anggaran Pendapatan dan Belanja Negara (State Budget) |
| APBA | Anggaran Pendapatan dan Belanja Aceh (Aceh Provincial Government Budget) |
| Bappeda | Badan Perencanaan Pembangunan Daerah  (Regional Development Planning Agency) |
| Bappenas | Badan Perencanaan Pembangunan Nasional  (National Development Planning Board) |
| BPS | Badan Pusat Statistik *(*Indonesia Statistical Bureau) |
| BRA | Badan Reintegrasi Aceh (Aceh Reintegration Agency) |
| DAU | Dana Alokasi Umum (General Allocation Fund) |
| DPD | Dewan Perwakilan Daerah (Regional Representative Council) |
| DPR | Dewan Perwakilan Rakyat (House of Representatives) |
| DPRA | Dewan Perwakilan Rakyat Aceh (Aceh's People Representative Council) |
| DPRK | Dewan Perwakilan Rakyat Kabupaten/Kota (Regency/Municipality Representative Council) |
| KKR | Komisi Kebenaran dan Rekonsiliasi (Truth and Reconciliation Commission) |
| Komnas HAM | Komisi Nasional Hak Asasi Manusia (National Commission on Human Rights) |
| KontraS | Komisi untuk Orang Hilang dan Korban Tindak Kekerasan (Commission for the Disappeared and Violence Victims) |
| KPA | Komisi Peralihan Aceh (Aceh Transition Committee) |
| KPI Aceh | Komisi Pemilihan Independen Aceh (Aceh Independent Election Commission) |
| KPPS | Kelompok Penyelenggara Pemungutan Suara (Polling and Counting Committee) |
| KPU | Komisi Pemilihan Umum (Indonesia General Election Commission) |
| NAD | Nanggroe Aceh Darussalam |

| | |
|---|---|
| Otsus | Otonomi Khusus (Special Autonomy) |
| PA | Partai Aceh (Aceh Parties) |
| PERTAMINA | Perusahaan Pertambangan Minyak dan Gas Bumi Negara (Indonesia State-owned Petroleum and Natural Gas Company) |
| PNA | Partai Nasional Aceh (Aceh National Parties) |
| Repelita | Rencana Pembangunan Lima Tahun (Five-Year Development Planning) |
| RPJP | Rencana Pembangunan Jangka Panjang (Long-Term Development Planning) |
| RPJM | Rencana Pembangunan Jangka Menengah (Mid-Term Development Planning) |
| SAF | Dana Otonomi Khusus (Special Autonomy Fund) |
| SIRA Information | Sentra Informasi Referendum Aceh (Aceh Referendum Center) |
| SKPA | Satuan Kerja Pelaksana Aceh (Aceh Government Work Unit) |
| TNI | Tentara Nasional Indonesia (Indonesia National Army) |
| TNA | Tentara Nasional Aceh (Aceh National Army) |
| WH | Wilayatul Hisbah (Sharia Police) |

# Chapter 1
# Introduction

## 1.1 Background and Significance of the Research

Indonesia, a nation of multicultural societies, boasts a tapestry of diversity and reflects such a character in the national motto of "Unity in Diversity." However, during the transition from being a Dutch colony to becoming the Republic of Indonesia, the struggle for democracy persisted for decades. As a result, Indonesia has had three types of failed democracy. Firstly, it was the failure of Parliamentary Democracy (1949-1959). Secondly, it was the "Guided Democracy" under President Soekarno (1959-1965). Thirdly, the most prolonged era was the 'Pancasila Democracy' under President Suharto in the New Order in March 1966 – 1998 (Bhakti, 2004).

The New Order asserted that a strong state, capable of suppressing antagonisms based on religion and geography, was a precondition for the industrialization and development of Indonesia. The military became the critical instrument for eradicating subversive and "destabilizing" forces within society. The administration severely limited popular political participation and believed a military approach was the key to peace (Hofman, 2004). Aceh is one of the military focus areas to control society in the name of state peace and development. The root cause of conflict in Aceh has been attributed to the centralist and inequitable budget allocations by the Government of Indonesia (GOI), resulting in the poor development of the provinces. Most people in the society supported insurgency and the freedom movement for a better life, independence, and peace.

Like the light, peace is intangible but discernible either by its absence or sporadic often startling appearances (Webel, 2007). The peace process utilizes several approaches. Firstly, the dialogue approach is comparable to the transcendent approach. It begins with a thorough conversation between each side and new ideas shared for a better new reality. Another popular approach is to end conflicts using an external military strategy with security as the dominant strategy. One of the military

approaches to liberal peace involves the UN Security Council, which applies a top-down treatment to the people of a conflict area (Galtung, 2007).

*Gerakan Aceh Merdeka*, hereinafter called GAM (Free Aceh Movement), was established in 1976 by the founder Tengku Muhammad Hasan Tiro. However, following Aceh's Declaration of Independence, the GOI carried out massive arrested and caused a significant loss of life among the GAM members (Kingsbury, Fernandez, 2008). Furthermore, the military killed the twenty-four founders of the Declaration of Independence six years later. Consequently, President Soeharto failed to meet the Acehnese people's expectation for an Islamic restoration as the dominant sociopolitical force (Miller, 2003), exacerbating the tension.

The conflict caused thousands of civilian victims, which provoked President Soeharto to announce and consider Aceh a Military Operation Area (DOM). Data from BRA in 2017-2021 revealed a significant number of human rights violations, amounting to 27,843 victims. In addition, a high level of unemployed youth is considered an enabling factor in escalating conflicts (Collier and Heffler, 2002). Many of those were school leavers and unemployed, the most common demographic features for recruiting insurgents.

After 1998, the GOI attempted to resolve the conflict by employing diplomacy. The fall of the Suharto regime and the subsequent transition to democracy allowed the space for public discourse on the conflict and its root causes, leading to novel approaches to finding a peaceful solution. The rapid escalation of violence from 1999 in Jakarta further heightened the urgency of reaching a peaceful settlement. As the nation underwent a new era of democratic government after the Soeharto regime was ousted, a turning point that initiated negotiations took place in May 2002 with the application of the 2001 Aceh Special Autonomy Law.

The first process of dialogue between the GOI and the GAM was initiated by the Centre for Humanitarian Dialogue (HD). This private diplomacy organization facilitated peace negotiations between the two conflicting parties until 2003. During this phase, there were two brief cessations of hostilities brokered by HD, namely: the "Humanitarian Pause" in 2000 and the "Cessation of Hostilities Agreement" (COHA), which was signed in December 2002. The implementation of Humanitarian Pause and COHA resulted in a reduction of violence in Aceh. Even

though tensions of the conflict decreased, GAM Leader (Hasan Tiro) in Sweden and field commanders in Aceh repeatedly reiterated their demand for complete independence and denigrated Indonesian sovereignty. Moreover, they used the space to prepare for future battle rounds and increase their recruitment, training, and deployment.

Meanwhile, the GOI was unable or unwilling to discipline its field commanders, resulting in the army acting as a notable peace spoiler, significantly undermining the settlement. Aceh's independence was anathema across the political spectrum. Furthermore, "negotiating with separatists" was a strange notion for many nationalists in the parliament, especially in the security forces. Army commanders trained under the Suharto regime believed it was a sacred duty to defend national unity and could not compromise with those who threatened it (Aspinall and Crouch, 2003). The COHA ended in May 2003 when the GOI declared a "military emergency" in Aceh and announced its intention to eliminate GAM once and for all.

In 1998- 2004, Indonesia's political system was uncertain, referred to as a 'political grey zone' because the transition from authoritarian to democratic had stalled and even regressed. There was no guarantee that the transition would progress into a democracy *per se*. However, the situation indicated that democratic procedures took place, but substantial democracy was ignored. The Bali bombing accident in 2002 also worsened the "democratic consolidation." Consequently, the GOI attempted to regain its previous policy-making dominance in the military by enacting a new terrorism law that was seen as a new threat to democracy. Enforcing the law would endanger Indonesia's democratization process and strain relationships between the GOI and Islamic movements, including GAM. Moreover, most people were still traumatized by the two Soeharto regime's security apparatus; the military and the police.

It was a dilemma for Indonesia; while democracy was still fragile, the GOI gave the military a "new power" to fight terrorism. In December 2004, the catastrophe of an earthquake followed by a tsunami devastated Aceh and resulted in hundreds of thousands of casualties. This emergency became the backdrop to the new negotiations between GAM and the GOI (Kadir, 2012). After its Crisis Management Institute (CMI) nomination, Finland mediated the Helsinki peace process. The

negotiation was led by the Director of CMI cum Finnish Prime Minister Marti Ahtisaari, who successfully convinced that the Aceh conflict should be treated as an asymmetric conflict (Djuli, Rahman, 2008). In addition, Ahtisaari proposed vesting Aceh the power of a special autonomy (Awaludin, 2008). Finally, after five rounds of negotiations, it was clear that GAM and the GOI marked an extremely positive milestone in peacebuilding by signing a Memorandum of Understanding in 2005. (Helsinki MoU, 2005).

Aceh underwent a significant transformation, where a government of the Acehnese people could be established through a fair and democratic process under the Constitution of the Republic of Indonesia. The negotiations led the parties to collaborate in good faith towards finding a permanent and comprehensive solution, focusing on three significant problems and aspirations of the Acehnese people: the greater emphasis on Islam for the Acehnese people, political autonomy, and economic resources (Perez, 2009). An international entity called the Aceh Monitoring Mission (AMM) was established to monitor its implementation, comprising the European Union, Norway, Switzerland, and five ASEAN countries (Brunei, Malaysia, Philippines, Thailand, and Singapore). During the peacekeeping period, a critical point occurred where the GOI and former GAM could not reach a consensus on disputes about the MoU. Impartiality and diplomacy were the primary tenets of AMM to monitor the human rights situation, the evolution of laws and policies, and the reintegration of GAM members. The biggest challenge for the GAM after the Helsinki MoU was that the Helsinki Peace Agreement required them to disband, which led to the formation of a democratic organization, the Aceh Party *(Partai Aceh),* composed of former rebels.

Nevertheless, some former rebels or groups felt peace was not worth the risk of being eliminated by the future government. In other words, if the former combatant group is eliminated, it will create severe dilemmas during the implementation of post-conflict local elections (Brancanti & Snyder 2011). Therefore, ensuring political and economic access in Aceh is essential to building peace and maintaining stability. The GOI kept its promises of providing amnesties for imprisoned insurgents and setting regional autonomy arrangements. The Aceh peace process has brought a fast recovery of the province's social and security conditions.

Former GAM elites were offered many positions in politics and economic management after the reconstruction process (Aspinall, 2008).

The interplay between political and economic opportunities and access make up the crucial factors in building peace and maintaining stability in Aceh. The former GAM's election victory by the Aceh Parties (PA) has placed many PA cadres in various centers of power in Aceh, including legislative and executive areas in the city and the position of Aceh Governor. In addition, the condition has provided more comprehensive economic access and opportunities for former GAM combatants (Jarstad, 1998). Through the new political parties, several former GAM has occupied various strategic political and social positions and won many procurement contracts during the post-conflict reconstruction process in the province.

The emerging circle of provincial power and social structure has created new social structures and potential conflicts among the Acehnese people. Good governance is an essential factor for sustainable peace. Furthermore, it indicates the success or failure of democracy development and peacebuilding in post-conflict regions. In this regard, the different governance dimensions, such as accountability, transparency, public services, and law enforcement, are important to maintaining sustainable peace (Korth, 2011).

After 15 years of the Helsinki MoU, Aceh retains its autonomy status. However, Aceh is still yet to see significant economic growth. Aceh had the lowest economic growth among other provinces on Sumatra Island in 2020, below the national average. Acehnese people face economic hardships, similar to the previous 20 years (Ibrahim, 2020). The situation pales compared to what most Acehnese people expected when they fought for autonomy. Acehnese people have the right to learn, to know, and to gain a better future quality of life. Today, many parties are involved in economic and political development in Aceh.

The GOI has been the first party to implement Helsinki MoU in Aceh's social, political, and economic development for the last 15 years, both in the executive and legislative arms. Some already implemented policies include special autonomy, democratic election, and budget allocation. On the other hand, at some points of the Helsinki MoU implementation, the GOI did not take into account farmland allocations, the reconciliation process, and victim rights. Therefore, assessment of the

GOI for implementing the Helsinki MoU is crucial since it requires special autonomy with huge budget allocations significant to Aceh's development.

The second party to the implementation is the Aceh local government (LoGA), which established a number of authentic Islamic and customary governing bodies in response to the aspirations of the Acehnese people. However, despite such autonomy, more than 50% of the regional budget allocation still depends on the GOI, resulting in sustainability and prosperity being the main issues for the LoGA to build future peace.

The third party comprises civil society organizations focusing on Aceh. These include international NGOs at national and local tiers, such as CMI and AMM, in peacekeeping efforts and human rights organizations. Moreover, there is a need for improvement in academic reports and field conditions related to poverty, victim rights, and the Aceh government to maintain sustainability and development.

With the granting of autonomy, Acehnese people become administrators, government officials, business owners, and civil society. Such positions are especially the case for former GAM members, who manage many political positions. In addition, maintaining the peace and rebuilding Aceh now falls to Aceh's new generation of provincial and district politicians. Unfortunately, their performance has been lackluster as they embark on a steep learning curve while navigating the new political landscape (Aspinall, 2011).

This research will focus on the parties involved in Aceh's political and economic development and the mechanism of peaceful autonomy. Then, this research further examines each party's dynamic roles in terms of the success, obstacles, and potential conflict that might occur in the future to maintain peacebuilding in Aceh.

## 1.2 Research Questions

1. What were the local government and the GOI's strategic policies to ensure peacebuilding and development in Aceh after the Helsinki MoU?

2. To what extent is the unfinished MoU Helsinki in the social, political, and economic areas?

**1.3  Research Objectives:**

   1. To examine the implementation of the peacebuilding situation in Aceh after the MoU-Helsinki.

   2. To assess the success and obstacles from the local government, GOI policies, and the Civil Society Organizations (CSOs)'s support for peacebuilding in Aceh.

**1.4  Research Scope**

   The research will focus on implementing the Helsinki MoU, which has been applied in Aceh to meet the aspirations of the Acehnese people. The research area is Aceh's peacebuilding update after fifteen years of the Helsinki MoU and how the local government has developed Aceh during the post-conflict era under special autonomy. The research gathered, analyzed, and presented information on peacebuilding efforts by actors in Aceh.

   The research population is focused on the Acehnese people and government and the mediator who supervises the Aceh peacebuilding after the Helsinki MoU. The sample of the Acehnese people population is focused on Acehnese people who have experienced the peace situation from 2005 until 2020, or 15 years after the Helsinki MoU was signed by the Government of Indonesia (GOI) and the GAM. This research looks into their experience divided into three implementation phases of the Helsinki MoU. The first phase is the negotiation dynamics of the Helsinki MoU. The second phase is the progress of implementation in the self-government of Aceh and how the GOI regulates special autonomy in the Republic system. The last phase focuses on Helsinki MoU's unmet aspirations and how the government is concerned about fulfilling them.

## 1.5  Conceptual Framework

The research structure of peacebuilding must find and eliminate the root cause of conflicts and provide alternative resolutions to a possible long-term conflict situation or factors. (Galtung, 1976). Peace is about abolishing structural violence and root causes of war, such as oppression and domination, rather than solely focusing on eliminating direct violence or warfare. Peace has three approaches to resolving conflicts: peacekeeping, peacemaking, and peacebuilding. Peacebuilding indicates that the concept invites a variety of definitions, given that it is associated with different ideologies, including liberal internationalism and securitization. The long history of the Aceh conflict has resulted in many different adaptations to peacebuilding approaches. The province witnessed GOI military treatment on GAM, the tsunami disaster, and the transition from an authoritarian to a democratic regime. Such milestones became key points in garnering global institutional support for Aceh peacebuilding.

This research focuses on peacebuilding as a process for implementing social change by reconstructing political, social, and economic areas. Peacebuilding may indicate a variety of definitions and concepts, given that it is associated with different ideologies. In Aceh peacebuilding, the definitions and concepts may vary depending on the context and ideology. However, they might include organized crime and insecurity, human rights abuse, religious and ethnic tensions, country instability, poverty, economic development, and political authority. The integrated framework for the concept of peacebuilding is sustainable peace which means that if peace is to be ordained, locals must replace external actors as the 'primary authors of peacebuilding' (Paffenholz, 2015)

Table 1.1 Research Structure of Aceh Peacebuilding



| Understanding Peacebuilding Aceh: | Preliminary Analysis: | Reviewing Literature: |
|---|---|---|

Understanding Peacebuilding Aceh:
- Long history of conflict
- LoGA and Helsinki MoU
- Participation of ex-combatants and Aceh society
- Peace situation
- Economic development

Preliminary Analysis:
Peace in Aceh after Helsinki MoU Special autonomy already applied

Time Series Analysis:
After Helsinki MoU (2005), Peacekeeping (2006), Transition (2006-2010), Normalization (2010 – 2020), Future (after 2020)

Method development:
Research – Develop – Validate - Analysis

Reviewing Literature:
- Concept of Sub-National conflict
- History of Aceh Conflict
- Application of Transitional Justice
- Special Autonomy Policy and regulation

## 1.6 Expected Advantages

Peace in Aceh is a long-term issue. Studies on the subject provide various insights and ideas into conflict resolution and peacebuilding situations. Aceh peace reveals minority excesses and suffering of all parties and draws attention to post-war developments (Lynch, 2008). The research analyzes peaceful means to conflict resolution, specifically the implementation of the Helsinki MoU. In addition, this research will provide valuable insight for the GOI to update the condition of Aceh. It also provides potential implications in the academic field by providing lessons learned, including managing conflicts with dialogues and maintaining peace after negotiations to evade future conflicts.

## 1.7 Definition of Terms

### 1.7.1 Peace

Peace is defined in several definitions, where governments and academia often define peace colloquially and negatively as the absence of war and physical violence. However, different groups often incorporate this definition differently in a conflict. Therefore, an extended violence concept is closely tied to the concept of peace. Navigating such differences is like dealing with a two-sided coin, in which peace has two sides to a complete definition of peace: the absence of personal violence and structural violence. Peace, in this sense, entails not only the control and reduction of overt violence but also what we have previously referred to as "vertical development." Positive peace, or 'the absence of structural violence, the presence of social justice, and the condition to eliminate the causes of violence,' indicates a deliberate process beyond mere 'negative peace,' or the absence of violence. Peace theory is intimately connected with conflict and development theories (Galtung, 1969). Moreover, peace is separated into three main aspects, namely: long-term process, multi-layered process, and complex process in which it is possible to identify steps towards peace and measure the decrease of violence and increase of justice. The multi-layered character of peace means that multi-layered actors incorporate the responsibility of governments and stakeholders at all levels of society (Sönsken, Kruck, El-Nahel, 2019).

### 1.7.2 Special Autonomy

Autonomy is originally derived from a Greek word alluding to independence and self-government. An autonomous system means "self-producing." Both produce their governance and use such governance to maintain themselves. Furthermore, the evolution of the concept of autonomy can be traced to how Greek cities defended the ideas of sovereignty and freedom from interference by foreign powers.

Special autonomy is essentially the responsibility of the local population because it is ultimately the people's right to administer their system of government in a manner that will accommodate their laws, ethics, and local traditions.

Policies in special autonomy offer more significant opportunities for separatist groups to gain experiences in governments, sharpen local identities, and prepare infrastructures for the sought-after independent state. One of the ways to curtail violence associated with autonomy or independence movements is that the governments must provide orders and limit any extra-systemic violence (Mietzner, 2007). Special autonomy is a matter of regulating relationships between various levels of government and regulating relationships between the state and the people.

### 1.7.3 Memorandum of Understanding

A memorandum of understanding often sets out operational arrangements under a framework of international agreements. It is also used to regulate any technical or elaborate matters. MoU is a well-accepted type of legal instrument in the practice of international law. Its identity is commonly defined as "an informal but legal agreement" between two or more parties (McNeill, 2017). Actors in the agreement may include states or international organizations.

Moreover, MoU usually concludes by organizing relevant peacekeeping operations. MoU documents mutual understanding between the parties before the agreement or regulation is made. Thus, the contents of the MoU must be outlined in a contract or regulation to bind the counterparts legally (Salim, 2007).

### 1.7.4 Qanun

As a result of the Arabization of the Persian language, the term qanun was derived, which means principle. The adaptation of this concept resulted in the emergence of written laws in countries where Islam was used as a source of legislation, starting from the nineteenth century (Syarif, 2006). However, secular legislation (qanun) inspired by European models was gradually introduced in the nineteenth and twentieth centuries. In commercial and penal law, in particular, "man-made law" administered by newly established secular courts that replaced the qadi-administered shari'a (Balz, 2008).

Qanun refers to all laws and regulations enacted by a government. Qanun was intended to supplement Islamic law in matters deemed as insufficiently regulated. As a result, Qanun became an integral part of the legal

system, especially in the Ottoman Sultan's administrative, fiscal, and penal domains. The sultan's prerogative to enforce publicly beneficial customary practices was the primary justification for qanun. Recently, qanun has increasingly been regarded as a generic term for all laws and regulations in a Muslim country or territory (Esposito, 2003).

# Chapter 2
# Literature Review

This chapter presents the overview and analysis of academic literature on the Aceh conflict, encompassing brief synopsis of key points of the Aceh conflict in terms of theory, history, and comparison. In addition, this chapter includes theories, such as sub-national conflict, and three approaches to peace; transcend approach, transitional justice, and self-determination. Furthermore, the Aceh conflict history in this chapter describes the conflict itself, the Helsinki negotiation process, and the Acehnese people's aspirations. In the last point, this chapter describes similar conflicts in ASEAN, like those in the Bangsamoro and Timor-Leste, to gain an understanding of the solutions to conflicts related to self-determination and special autonomy.

## 2.1 Sub-National Conflict

Subnational conflict is defined as an armed conflict centered on controlling a subnational territory within a sovereign state, in which an opposition movement employs violence to contest for greater self-rule of the local population. Subnational conflict is fueled by perceived injustice over governance, political and economic marginalization, and the threatened identity of the local minority population. Minority populations living in subnational conflict areas were often subjected to prolonged assaults on their identity that contributed to their perceptions of injustice. From 1990 to 2005 alone, 50 conflicts in over 36 countries had subnational dimensions, including, most prominently, the accommodation of minorities in plural societies (Roeder and Rothchild 2005).

Subnational dimension conflicts are mostly fought over territory by minorities and the GOI, and they are the least likely to be resolved through politics because governments are not expected to grant minorities or secessionist groups independence or greater regional autonomy (Walter, 2003). As a result, subnational

conflicts are invariably affected by multiple and overlapping levels of contestation. The three primary forms include:

a. The State-Minority Conflict involves the active struggle over the presence, role, authority, and legitimacy of government actors and institutions in the conflict area;

b. Competition and Conflict between Local Elites, such as rival clans, families, and political factions competing over dominance in their area; and

c. Inter-communal Conflict comprises competition between ethnic and religious groups living close together and often competing for scarce land and other resources.

Most subnational conflicts occur in stable, middle-income countries with relatively strong governments, regular elections, and capable security forces. As such, subnational conflict defies conventional wisdom on the relationship between conflict, economic development, and institutional capacity. Nevertheless, many Asian countries face subnational conflict, as the map shows below:



Figure 2.1 Subnational Conflict in Asia

Source: Asia Foundation, 2013

Over the past 20 years, there have been 26 sub-national conflicts in South Asia and Southeast Asia. During 2004-2014, 60% of the world's sub-national conflicts occurred in Asia, taking more than 100,000 lives in the region (Barron, 2014). The overall impact of sub-national conflict is substantial, affecting over 131 million people. At least 1.35 million people have been killed in such conflicts since 1946 (Park, 2013). The average duration of sub-national conflicts in various regions of the world is depicted in the table below:

Table 2.2 Average Duration of Sub-National Conflict, 1946 – 2010

| No | Region | Average Duration (Years) |
|----|--------|--------------------------|
| 1 | Asia | 33.3 |
| 2 | Middle East | 28.4 |
| 3 | Africa | 12.0 |
| 4 | Europe | 5.2 |
| 5 | Global | 16.8 |

Source: Barron, 2014

Subnational conflict is not limited to poor and failing states. Middle-income countries such as Indonesia, Thailand, and the Philippines, as well as highly developed countries like the UK and Spain, also have grievances about their society (Barron, Arthur, and Bartu, 2012). The case study of Aceh in this research is classified as a subnational conflict. Subnational conflict is "armed conflict over control of a subnational territory within a sovereign state, where an opposition movement uses violence to contest for greater self-rule for the local population" (Park, Colleta, and Oppenheim, 2013).

## 2.2 Conflict in Aceh

The Aceh conflict is linked to its historical location in the Malaka Strait and its importance as a nexus for trading links, previous independent sultanates, and the Acehnese people, who have a legacy of Islamic social form and strong leadership, including queens, who fiercely resisted invasion. At the beginning of the independence of Indonesia, the Acehnese people gave massive financial and material assistance to the newly built, one of which was by donating their gold for the first Indonesian national aircraft (Aguswandi, 2008).

At the beginning of the Republic system of Indonesia, the Aceh region was part of North Sumatra province with the capital city of Medan. Acehnese people feared that the role of Islam would diminish due to the far distance between Medan and Aceh, and there was different culture between North Sumatra and Aceh. However, from 1942 to 1962, Aceh's economic infrastructure was severely damaged due to war, revolts, and the government's negligence of agricultural and communication infrastructure, where they failed to repair a system for rice fields that depended on a sound irrigation system. The abandoned irrigation system devastated farmers in Great Aceh, Pidie, North, and Northeast Aceh (Sulaiman, 1999).

Another grievance that occurred during the establishment of Belawan Port as the primary trading port in Sumatra, especially Malaka Strait, created unemployment among the waterfront workers in Langsa Port, Aceh (Sjamsuddin 1985). In addition, Langsa Port, for the Acehnese people, is historic because of its glorious past as the center of Muslim trade in the region. Furthermore, the Acehnese people had a bad experience with natural resource exploitation in the colonial period. The devastation escalated when the Soeharto regime in the post-independence era saw Aceh meet the same fate by centralizing oil and gas management under state enterprise. Economic grievances were also exacerbated by neglected infrastructure and economic stagnancy. The GOI abandoned the damaged post-war agricultural infrastructure and further marginalized Aceh traders by introducing a modern export-import system, causing more unemployment due to the diminishing function of Langsa Port.

Local elites and Aceh's influential Islamic scholars supported an armed rebellion led by Daud Beureuh from 1953 until the early 1960s as part of the Islamic Indonesia State led by Kartosoewirjo in Jakarta, who protested against the national philosophy of Pancasila and purported for its replacement with Islam (Suadi, 2016). As a response, President Soekarno created a policy to restore Aceh's provincial status and autonomy in religion and culture. However, when the regime changed five years later, the promise of autonomy was breached again. The new regime of President Soeharto imposed centralist patterns and policies that exploited natural resources, resulting in development disparities between Java and beyond and a revenue drain toward Jakarta elites.

According to Soeharto's strategic plan for development, during the first five years, namely in 1969, Aceh was plotted as the "rice silo of Indonesia," which meant Aceh was en route to becoming an agricultural region. However, the central plan shifted when Exxon Mobil Oil Indonesia discovered abundant sources of oil and gas in 1971, which initiated foreign exploitation of Aceh. The focus on mineral wealth began with the natural gas discovery in north Aceh. By the end of the 1980s, the province produced 30% of the country's oil and gas exports (Kell, 1995). Other vital industries in Aceh that contributed to the country's revenue were the ASEAN Aceh Fertilizer plant and the Kertas Kraft Aceh Factory, which produced storage sacks for the cement industry.

Natural resource distribution maltreated Aceh, as only about 5% of the profit was returned to the province, and the remaining profit was divided between the GOI and foreign companies (Heidux, 2006). Furthermore, employment opportunities and benefits from the exploration of natural wealth were mostly for migrants from outside Aceh and not for the local people. The unfair natural resource distribution was coupled with accumulated grievances toward non-Acehnese employees and contracts for infrastructure projects that were awarded to outsiders.

The reorganization was solidified through centralized rules. The regime nurtured two critical groups in Aceh through a minimum of two key policies: national stability and economic development. First, to defend the national economic interest, the armed forces became permanently embedded in the province to prevent the opposition's emergence and monitor and control opposing political parties that

were legitimate but were treated as not. Second, Suharto fostered the growth of a bureaucratic elite class of indigenous Acehnese people. Being acutely aware of their significant influence, this group sought to elevate Aceh's standing within the Indonesian state by promoting regional development and implementing national development directives to counteract the influence of the ulama. (Miller, 2003).

In 1976, Mohammad Hasan Tiro led GAM (Free Aceh Movement) with elites, professionals, intellectuals, business owners, politicians, engineers, and doctors (Askandar, 2012) as a critique of GOI's centralistic policy. However, in the first period after the birth of GAM, their activities revolved around producing and distributing propaganda and aspirations of their movement to gain support from the Acehnese people (Ross, 2005).

After the declaration and movement of GAM, GOI treated them as insurgents, and for a period, the movement seemed to be stifled, with most GAM leaders imprisoned, exiled, or killed (Robinson, 2001). However, the leaders of GAM consolidated and solidified the movement by sending their members to Libya to develop their ideological rhetoric, military training methods, and strategy and lobbying the international community. As a result, the movement reemerged with better-organized assistance from Libya, which sent weapons to attack isolated GOI police and military posts, camps, and installations to announce their revival. To respond quickly to this new threat, the GOI declared Aceh a DOM or *Daerah Operasi Militer* (Military Operation Area) in 1989. After two years, the Indonesian army had successfully crushed the rebellion and killed or captured most of their top leaders and commanders (Martinkus, 2001).

In 1997, a financial crisis hit Southeast Asia, including Indonesia, which mainly suffered from the downturn. Consequently, the Gross Domestic Product (GDP) fell by 13.7%. The military even lost 40% value of its budget as the government sought to buffer the country from the calamitous monetary crisis. The economic crisis threw the Suharto government into turmoil. Discontent erupts and spills onto the streets across Indonesia. Many lives were lost, and the masses were arrested as the military crushed dissent.

Massive pressures from the civil societies in the big cities of Indonesia started to pressure Suharto's resignation. Eventually, in May 1998, Vice-President

B.J. Habibie was appointed President to oversee the transition from dictatorship to democracy. In 1998, Habibie initiated a new decentralization program to give Indonesia's regions more political and financial autonomy. In addition, he introduced sweeping changes in the security forces. The military's role was reverted to "back to barrack" to protect the nation from external threats, while law and order were designated as the police's prerogatives. Furthermore, the new President introduced new chapters to the state's political backdrop by withdrawing the military and police from their existing political influences and legislative seats.

In 2000 and 2002, third-party mediators negotiated a ceasefire between the two parties, but peace was only maintained for several months (Amalia, 2019). The GOI also used military treatment during the negotiation process to curtail the peacebuilding effort in Aceh. This was done by employing martial law in 2003 and a civil emergency in 2004. Under martial law, in theory, authority is held by the governor and the police. However, no decisions could be made without authorization from the military. For several months, Aceh was closed to foreigners, and only the International Committee of the Red Cross (ICRC), the World Health Organization (WHO), and the United Nations Development Programme (UNDP) were allowed to assist with humanitarian needs. The 2014 tsunami and earthquake were the catapults to negotiations in Aceh. The enormity of the disaster changed the situation, albeit reluctantly, and led to the promise of massive international and national support (Kadir, 2012).

## 2.3  Helsinki Negotiation Process

When it was announced in January 2005 that peace talks were planned, most experts were pessimistic that Aceh would soon meet a peaceful society. The five-rounds of tough negotiations from January to July confirmed the predictions (Aspinall, 2005). The GAM team consisted of members of its self-appointed leadership in exile, led by the Prime Minister of the Aceh Government, Malik Mahmud, who was accompanied by their Minister of Foreign Affairs Dr. Zaini Abdullah; spokesperson, Bakhtiar Abdullah; and political officers, Nur Djuli and Nurdin Abdul Rahman. In the subsequent rounds, they were joined by leaders from

Aceh, including Shadia Marhaban and Irwandi Yusuf (later elected as the Governor of Aceh). At the same time, GAM was supported by the Australian academic Damien Kingsbury, who advised on and formulated possible negotiating alternatives throughout the process. A small number of Acehnese intellectuals also assisted from a distance. However, because the process was conducted at a considerable distance from Aceh, observers were limited to several Finnish figures, EU diplomats, and academic advisors. (Kingsbury, 2006).

Indonesia sent five representatives: They are Minister of Law and Human Rights Hamid Awaluddin as the leader of the delegation; Minister of Communication and Information Sofyan Djalil; Farid Husain, Deputy Coordinating Minister for Politics and Security; Maj. Gen. (Retired) Usman Basyah; and the Director of Human Rights, Humanity, and Social Culture, I Gusti Agung Wesaka Puja.

Martti Ahtisaari of Crisis Management Initiative (CMI) led the mediation under GOI's request due to their skills in peace negotiation and their role as the facilitator of Aceh peace negotiations. In addition, Ahtisaari was the former Finnish President who espoused strong political influence in Europe and the United Nations. Moreover, he was experienced in facilitating peaceful solutions to conflicts, such as in Kosovo and Africa (Hadiwinata, 2010).

The discussions were divided into five rounds with key issues regarding Aceh's future. During the rounds of negotiations, both parties were able to consult and gain legitimacy from their constituencies. The first-round agenda was initially unclear, but it soon became evident that the GOI insisted that Aceh relinquish its claim for independence and accept autonomy under the territory of the Republic of Indonesia. The first discussion floundered since no agreement on this crucial issue could be reached. However, by the end of this round, the delegates had reached a relatively common ground. Ahtisaari laid the groundwork for the following rounds by publicly declaring that "nothing is agreed until everything is agreed."

Over the next two rounds, GAM said this meant avoiding autonomy status, representing the suffering, oppression, and empty promises experienced under Indonesia's previous provision of autonomy status in 1999. However, the GOI and the

mediator eventually settled on the concept of "self-governance," which, for many impartial observers, resembled granting autonomy.

For GAM, recognizing local political parties meant that GAM representatives might be elected and take over Aceh's legislative and executive branches. This move would give both democratic and legal legitimacy to their aspirations and their relations with the GOI. However, the details of self-governance were also critical, and they became major impediments at the end of the talks. The most challenging question was whether Acehnese people's political parties would be allowed, a point insisted upon by GAM. Nevertheless, the GOI considered provincial-level political parties a significant threat, as historically, they had never been allowed, and their existence was perceived to foster separatist sympathies, threatening national unity. For GAM, however, the status of Acehnese parties was a top priority. As one GAM advisor said, "The success or failure of the talks depended on this one issue."

Independence was a requirement from GAM, but the Indonesian government refused to accept the proposed demand. Therefore, the mediator's role was critical as he held power to pressure both conflicting parties to stop negotiating independence and shift the focus to ceasing conflict (Djumala, 2013). Furthermore, as both parties had distinctly differing ideas about what could be agreed upon when setting autonomy for Aceh, the negotiator had to break the communication deadlock by reducing each party's demands to reach a compromise. As a result, the negotiation could proceed in a comprehensive, gradual, and undisturbed manner within the context of the autonomy framework, which ended on July 2005 (Suadi, 2016).

However, the stage almost failed at a critical point when GAM raised the issue of local parties. In this stalemate, Farid Husain and Juha Christensen played an important role in lobbying for the cause (Mujiburrahman, 2005). GAM participated in all negotiation processes with the GOI, wishing to seek solutions to the conflict. In the MoU, GAM agreed to demobilize all its troops and decommission its weapons; meanwhile, the GOI agreed to withdraw troops from Aceh (Schulze, 2007). Finally, a critical situation developed. The Aceh Peace was signed within one year or 18 months (Kingsbury, 2006).

## 2.4 Aspiration of Acehnese people

One of the follow-up negotiations from peacebuilding Aceh was LoGA or Law on the Governing of Aceh (hereafter LoGA), as stated in the Memorandum of Understanding. This law must be based on the Memorandum of Understanding agreed between GAM and the GOI and the proposal of LoGA developed by the Aceh regional parliament. The parliament of Jakarta established this new LoGA on 31 March 2006. In the political sphere, the provision of LoGA has elected Aceh's self-government. It made former Acehnese people rebel against rule over a democratically elected party that enjoyed broad popular legitimacy amongst Aceh's civilian population and at the national level (Miller, 2010). Overall, however, the Helsinki MoU was remarkably successful in reducing violence. The sporadic conflict has raised political violence since 2005 and has typically been linked to rivalries among former supporters of GAM (Anderson, 2013).

Based on a comparison between LoGA and MoU, in the MoU's twelve scopes, four points were not accommodated in LoGA, particularly in economic, social, and political domains. First, in the economic sectors, there are Central Bank monetary regulations, land grants for the former GAM, and sea and port management, which have not been addressed as regulation and policy until now. As a result, there was no way out to elevate the economic situation from the autonomy of Aceh (Farisa, 2020). Second, self-immigration and reconciliation commissions still had unclear mandates and follow-up. Third, the GOI still restricts the political or symbol of the Acehnese people from the flag mandated in the LoGA. (Ulya, 2014).

## 2.5 Peacemaking

Peacekeeping aims to preserve peace, generally after a peace agreement. It focuses on observing cease-fires and separation of forces after inter-state conflicts and on multidimensional missions taking on a range of civilian tasks by military and task forces from both or third parties (Karlsrud, 2015). Peacemaking, on the other hand, anchored in conflict resolution, represented a more comprehensive approach whose aim went beyond the cessation of hostilities to focus on ways to

transcend inconsistencies and contradictions between parties. Galtung denounces the critical structural factors in establishing long-term peace as "narrow," "elitist," and negligent. Peacemaking and conflict resolution are thus primarily understood as residing in the "minds of the conflicting parties" and are achieved as soon as an agreement is signed and ratified. (Galtung, 1976).

The UN has defined peacemaking as an action to bring hostile parties to an agreement. Peacemaking generally includes measures to address ongoing conflicts and usually involves diplomatic action to bring hostile parties to a negotiated agreement. The United Nations Secretary-General, upon the request of the Security Council or the General Assembly or at his initiative, may exercise his or her "good offices" to facilitate the resolution of the conflict (UN Peacekeeping, 2005). One transition from deliberate is from a state of war to a state of peace (or non-war). This practice is recorded in the oldest written sources and can be traced among non-literate societies. European history after 1914 is characterized by peacemaking among European states and pacification in the colonial territories. In the early 1990s, as a result, models for "peacemaking" rose to prominence. Several long-running civil wars were settled peacefully through international facilitation or mediation, including Namibia, Nicaragua, El Salvador, Cambodia, Mozambique, and Guatemala. However, international actors are often inefficient in spare time and resources on achieving an accord, only to see spoilers undermine them with a return to horrific violence. Mediation-focused approaches demonstrated their limitations in the face of the frustrating failures of negotiated settlements in Angola, Rwanda, and the former Yugoslavia. (Stedman 1997). Peacemaking is a political operation by external power, and the persuasion makes it compelling to rearrange internal power relationships in ways that promise stable minimum order, the absence of which has created the need for peacemaking (Reisman, 1993).

## 2.6 Peacekeeping

Peacekeeping is a technique designed to preserve peace, particularly in fragile processes where conflict has already stopped, and to assist in implementing agreements achieved by peacemakers (Castellan, 2010). The UN defines

peacekeeping as "an operation involving military personnel without enforcement powers, established by the United Nations to help maintain or restore international peace and security in conflict areas" (United Nations, 1996). The UN Peacekeeping is guided by three basic principles: consent of the parties; impartiality; and non-use of force except in self-defense and defense of the mandate (UN Peacekeeping, 2008). In addition, the mission of peacekeeping has the following objectives: To facilitate the implementation of a peace agreement; To support a peace process; and to assist in conflict prevention and peacebuilding efforts (SIPRI, 2005). Peacekeeping involves sending the UN forces—so-called peacekeepers—to the ground after the parties agree and consent to stabilize volatile areas and ensure the peace process is effectively fulfilled. The concept of "post-conflict peacebuilding" espouses a novelty where the counterparts subsequently announced it as a new priority of the organization.

A primary strategy used in comprehending peacekeeping is one where conflict is considered an interruption to the status quo, and its resolution requires restoration to the status quo. However, the approach does not critically inquire whether this status quo should effectively be regained and preserved; it merely aims to maintain the absence of direct violence between actors in the conflict and, therefore, inadvertently contribute to continued structural violence in the future. (Galtung, 1976).

## 2.7 Peacebuilding

The recent interest of Peace Studies scholars in the interpretation of 'peace' reinvigorated a debate over an expanded typology beyond a narrow definition of peace as 'absence of war.' For example, researchers identify multiple variants of post-conflict peace, including a concept of 'fearful peace,' in which the "absence of large-scale violence" is "due to political control and repression from the side of the regime in power" (Lewis, 2018). In addition, there are two terms for peace: positive and negative. In formulating an "absence of violence," Galtung suggested that an egalitarian distribution of power and resources through "social justice" means should be put forth in order to avoid a recurrence of conflict (1969). More particularly,

structures that remove the causes of war and offer alternatives to war in any situation where war might occur (Galtung, 1976).

However, the peacebuilding phase revolves around strengthening political institutions, consolidating internal and external security, and revitalizing the economy and security (Bell, 2001). Peacebuilding is a multi-stage process. In the transition phase, the principal responsibility of peacebuilding actors is to provide security for civilians, establish a legitimate government, manage IDP and refugee repatriation, and commence political and economic reform. During the consolidation stage, the tasks include embarking on substantive economic and social recovery, promoting societal reconciliation, and deepening political and economic reform. The peacebuilding process is comprised of various functions and roles. Peacebuilding entails a broad coverage of activities, from "demobilization of paramilitary groups and other security arrangements to refugee resettlement, economic reconstruction, and the advancement of human rights" (Jeong, 2005). Due to the period examined in this research, between 2005 and 2020, it is vital to set out the phases of peacebuilding with more standard terminology and a timeline. The table below contains samples of the peacebuilding phases from several institutions.

Table 2.3*:* Peacebuilding Phases and Timeline

| No | Institution | Progress | Period |
|----|-------------|----------|--------|
| 1 | The New Partnership for Africa Development (2005) | Emerging | 90 days - 1 year |
|   |  | Transition | 1-3 years |
|   |  | Development | 4-10 years |
| 2 | The Deutsche Gesselchaft für Technische Zusammenarbeit (2005) | Stabilization | 1-3 years |
|   |  | Reorganization | 4-7 years |
|   |  | Consolidation | 8-10 years |
| 3 | The Center for Strategic and International Studies (2012) | Initial Response | Short-Term |
|   |  | Transformation | Mid-Term |
|   |  | Fostering | Long-Term |
|   |  | Sustainability | (no specific time) |

Source*:* Reychler, 2017

## 2.8  Transcend Approach

The transcendent approach is initiated with a deep dialogue with one party at a time, followed by a joint creative search for a new reality. Subsequently, a classical approach is adopted, bringing them together for negotiation with a facilitator. Furthermore, there is more to this approach than the mere facilitation of a mediation. The approach is holistic, with a dynamic process model relevant to conflict and peace. (Galtung, 2007). The approach offers new conflict transformation and peace-building approaches, perspectives, and alternatives to current or latest approaches that have proven ineffectual. It moves away from the traditional prescription. Furthermore, the transformation is necessary for the fundamental thesis that focuses on preventing violence and developing creative potential in the aftermath of a conflict. The fundamental approach views conflict as incompatible goals or a problem that must be solved rather than as opposing parties (persons, countries, among others.) or as one or more parties to be controlled (usually not oneself). (Galtung, 2000)

## 2.9  Transitional Justice

Transitional Justice, where the claims for justice are advanced, emerged in the late 1980s and early 1990s, Such development mainly resulted in response to the political transitions in Latin America and Eastern Europe. At the time, human rights activists and others were concerned with effectively addressing systematic abuses by former regimes but still reinforcing and not derailing the political transformations underway. Successor governments may be reluctant to launch extensive transitional justice programs, or they may not be able to do so without endangering their stability because the political balance of power is frequently precarious. Although transitional contexts always involve many moral, legal, and political dilemmas, dealing with systematic or massive human rights violations can be among the most politically sensitive and practically challenging. (United Nation, 2008)

Transitional justice is an approach to systematic or massive violations of human rights that both provides redress to victims and creates or enhances

opportunities for transforming the political systems, conflicts, and other conditions that may have been at the root of the abuses. The development of peace, democracy, and reconciliation are the long-term objectives of transitional justice measures, with the idea that these conditions help to prevent the systematic or massive violation of human rights. A transitional justice approach thus recognizes two goals in dealing with a legacy of systematic or massive abuse. The first is to gain some level of justice for victims. The second is reinforcing the possibilities for peace, democracy, and reconciliation. To achieve these two ends, transitional justice measures often combine criminal, restorative, and social justice elements. As it has grown, it has found common ground with social justice movements and conflict resolution, peacebuilding, and historical memory, to name a few.

## 2.10 Self-Determination

Self-determination is an excellent way to transform conflicts over the authority to govern peacefully. Of course, there is no guarantee that people will always make the optimal choice. They can make any mistakes as well as governments, but if they discover that they made a wrong choice, they have nobody else to blame and will do better at the next opportunity. However, if a government uses coercion and the threat of reprisal, the people will naturally be angry at that government. In other words, the principle of self-determination was strictly linked to the notion of the nation-state emerging in the 1960s decolonization process. It was claimed by populations to change their status of independence and to confirm the relevance of the concept of territorial integrity (Cassese 1981 and 1995; Tomuschat 1993; Koskenniemi 1994).

The self-determination concept originates from the right to choose, rooted in the American and French revolutions of the eighteenth century, emphasizing justice, liberty, and freedom from authoritarian rule. It is the most prominent expression following World Wars I and II. In the aftermath of the First World War, self-determination was perceived as Woodrow Wilson's guiding principle for redrawing European and world maps to establish a new, just order. Following World War II, self-determination was enshrined in the United Nations Charter, initiating its

transformation into a legal right under international law. (Wolfgang Danspeckgruber, Anne Marie Gardner, 2022). Therefore, the right to self-determination can help avoid many conflicts. Generally, the effort to optimize self-determination comes from the minor level of political organizations and includes all those affected by the decision (Fischer, 2005)

## 2.11 Framework

The research builds on the ideas from the literature review and the lesson learned. Using three frameworks—transitional justice, self-determination, and peacebuilding techniques—this thesis will examine the process of establishing peace in Aceh. Self-determination is essential for establishing enduring peace and provides a strong base for peacebuilding initiatives. Self-determination is typically stipulated in peace settlements. Political participation, economic development, identity, and human rights represent Aceh's aspirations.

Furthermore, Transitional justice is chosen for its ability to explain the dynamics between political adversaries, namely the incumbent or central government and insurgent or GAM in Aceh, throughout the peacebuilding phase. Transitional justice is the way to solve the human rights problem and trust issues with the central government after conflict. It is, therefore, appealing to observe how the transfer of authority from the central government influences the legitimacy of insurgents/GAM to the Acehnese people in times of peace. How was GAM gained, maintained, strengthened, diminished, or regained by the central government? The other important component of addressing aspirations is how long the peace-building process is. The current central government's concept of peacebuilding transferred several powers to Aceh through the laws (MoU and LoGA) concerning local politics, economics, identity, and human rights.
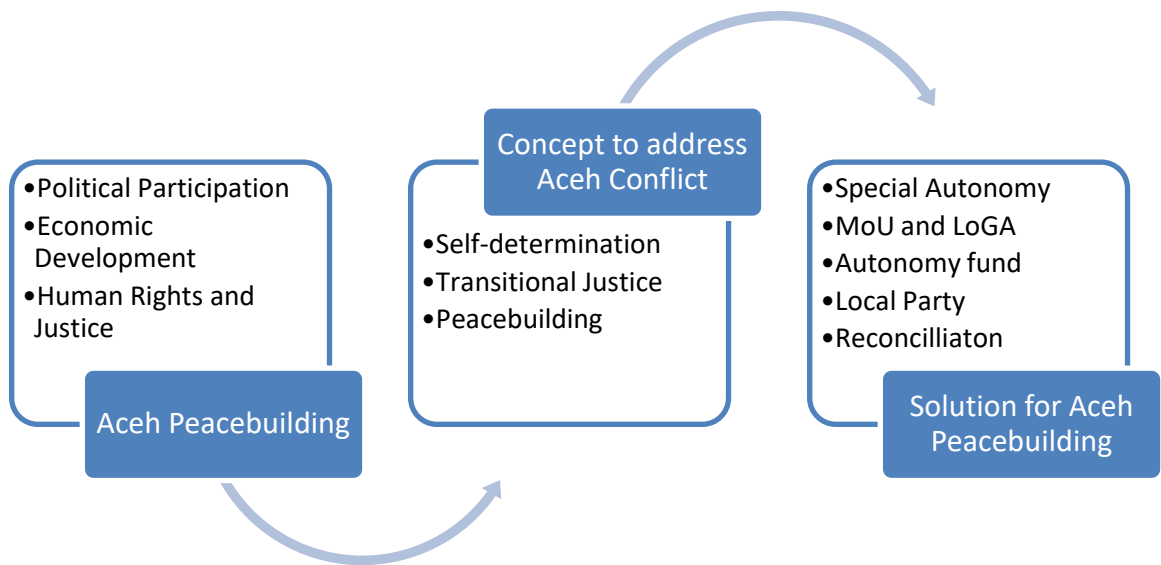
Figure 2.4 Research Framework

# Chapter 3
# Research Methodology

## 3.1 Sources of Data/Area of Studies

This research employs qualitative methods for data collection. The data sources are formulated by primary and secondary data resources (Haque, 2021). The primary data is the interviews delved into how the Aceh Government, GOI, and multiple political parties support Aceh and supervise peacebuilding in Aceh.

Secondary sources for observation that have tried to explain peacebuilding in Aceh and interviews with members of the region's local representative society. Additionally, widely established theories for promoting peace, such as the positive peace theory, were used to explain further the post-conflict in Aceh. Finally, newspaper articles, journals, report studies, and other online sources were used for statistics and factual information about specific events in Aceh.

## 3.2 Population: Types and number

In the past 15 years of the Helsinki MoU, the research case study technique has developed and been applied to relevant sources for research, including a minimum of four participants in each group of stakeholders. The first group is the Local Government Aceh representative and Mayor of Banda Aceh, and the GOI representative related to Aceh peacebuilding, for example, the Ministry of Home Affairs and the Ministry of Foreign Affairs representative. The second group is from academic and research reports from Syiah Kuala University and peace and human rights Local Non-Government Organization. Finally, the third group comprised Acehnese people interviewed about Aceh's development and their aspirations. These questions are open-ended and focus on the areas of economic, political, and local governance. Therefore, the questions included in the questionnaire focus on Aceh's governance and peace development in Aceh.

**3.3  Key Informants and Criteria Selection**

The study focused on  key informants of Acehnese people and government officials the Acehnese respondents have resided in Aceh for at least 20 years. Informants are part of social mass organizations in NGOs, professionals, business owners, lecturers, and students enrolled at the university in Aceh. This thesis selected local society from different sectors in Aceh for an in-depth interview about the latest progress, success, improvement, and obstacles in peacebuilding for some of the cities or regency in Aceh, such as Banda Aceh, Sabang, Lhoknga, Lhokseumawe, and Jakarta urban society in Aceh.

The thesis concentrated on the government's economic, political, and internal governance with data samples from local governments in Aceh and Aceh government respondents who come from the Aceh Province Government, the Mayor of Sabang City, Aceh Development Body, and Central Bank in Aceh Region. In addition, the GOI respondents involved in conflict management, such as the Ministry of Foreign Affairs and the Ministry of Home Affairs, were interviewed about the Helsinki MoU and peacebuilding development in Aceh.

Respondents in the academic field of development and Aceh peacebuilding, for example, comprised of researchers or lecturers at the University of Syiah Kuala, University Malikussaleh, members of the Aceh NGO forum, and Coalition of Human Rights NGO. The interview will focus on the issues, research, and data report in Aceh. For instance, the study selected Aceh's local government for Aceh's political and economic growth, the Governor, an Aceh legislator, and a Wali Nanggroe Body representative. In the central policies, the interview will focus on the Ministry of Foreign Affairs Representative and Ministry of Home Affairs Representative, which focused on the commitment to developing a post-conflict Aceh. Finally, questions for the Acehnese locals will concentrate on how things have changed since the Helsinki MoU and whether this is better or worse for society's aspirations.

Table 3.1 List of Key Informants

| No | Name Initial | Place of Interview | Category |
|----|-------------|-------------------|----------|
| 1 | MJ | Banda Aceh City | Aceh Government |
| 2 | HI | Online – Zoom Meeting | Aceh Government |
| 3 | ML | Banda Aceh City | Negotiator Helsinki MoU of GAM |
| 4 | SS | Banda Aceh City | Spokesperson of Aceh Parties |
| 5 | MM | Online – Zoom Meeting | Field commander GAM |
| 6 | KA | University of Syiah Kuala | Civil Society |
| 7 | KK | University of Syiah Kuala | Lecturer |
| 8 | KD | Banda Aceh | Human Rights Advocate |
| 9 | NZ | Banda Aceh | Spokesperson of Aceh Parties |
| 10 | MY | KKR Office – Banda Aceh | Right and Reconciliation Commission |
| 11 | NH | Banda Aceh | Human Right Advocate |
| 12 | RN | Banda Aceh | Lecturer |
| 13 | ZAL | Online – Zoom Meeting | Aceh Bank Region |

## 3.4 Data Collection Instruments

The data collection instruments are focused on in-depth interviews of selected people related to the peacebuilding situation in Aceh. The interviewing format is open-ended and discussion-based questions, using a communicative method to gather at least twenty reliable participants from various backgrounds. The questions are about politics, economics, and government area. The political question concerns how Aceh develops security and peace, while the economic question concerns how the Government supports and develops Acehnese people. In the Governance area, the question focuses on developing special autonomy in Aceh.

## 3.5  Data Collection Methods

The research employs qualitative techniques conducted through interviews, observations, and analysis from thirteen respondents focusing on the post-conflict situation in Aceh. The data collection method helps understand the processes underlying the results and changes in the Aceh peacebuilding situation. In-depth interview with sources and participant observation is used as the data collection methods; through the interviews, the participants discussed their experiences in economics, politics, and governance throughout a fifteen-year.

The focus of the questions posed to academics and researchers about the management of politics and economic development by the government of Aceh concerns third parties' objections, opinions, and criticisms. Second, the study examines whether Aceh Government focuses on achievement and progress during peacebuilding and the long-term plan for peacebuilding in Aceh. Third, the assessment of the GOI focuses on the management of autonomy support in Aceh and the relationship between the GOI and the Aceh Special Autonomy Government. Attention will be given to how the participants feel about the recent phase of peacebuilding and how it differs from the situation during the conflict.

## 3.6  Data Analysis with Reliable and Easurable Criteria

In qualitative research, it is essential to ensure a thorough instrument creation and assessment of its ability to measure what is intended in the study (Patton, 2002). To be rigorously conducted, a qualitative study must adhere to detail and accuracy in the findings by clearly defining the measuring tools and a more tightly controlled design with selective questions (Burns, 2005). Data analysis and interpretation will conclude with success and obstacles to the development of peace in Aceh based on questions from a selection of different sectors of participant sources.

# CHAPTER 4

# RESULT AND DISCUSSION

There are five sections to this chapter. The first and the second sections describe the strategic policy to ensure peacebuilding and development in Aceh after the Helsinki MoU. The first section addresses the local government, and the second mainly focuses on the GOI. The last three sections focused on the unfinished Helsinki MoU in the 15 years. The third section mainly focuses on the social and human rights context, the fourth section focuses on politics and government, and the last focuses on economic and development contexts.

## 4.1  The Strategic Policy to Ensure Peacebuilding and Development

### 4.1.1  Local Government Policy in Aceh After Helsinki MoU

The UN Secretary-General Agenda for Peace has three phases: preventive diplomacy, peacemaking and peacekeeping, and peacebuilding. "Action to identify and support structures which would build and solidify peace to avoid a relapse into conflict" is how post-conflict peacebuilding is defined (Ghali, 1992). A country at the end of a civil war has a 44% chance of returning to conflict within five years (Collier, 2003). It occurs because of the fragile nature of peace in the aftermath of a war, which implies that even a slight accident can result in fatal consequences and conflict recurrence (Genet, 2007).

One of the sub-national dimensions of the Aceh conflict is primarily a conflict between GAM and the GOI for control over Aceh under a centralistic and authoritarian regime. The Aceh conflict is characterized by the GOI approach to injustice in governance, political and economic centralization, and the threatened identity of the Acehnese people. The regime change in early 2000 gave momentum to peacemaking between Aceh and the GOI.

Helsinki MoU as a peacemaking effort refers to the negotiation process between decision-makers to reach an official settlement or resolution, which is realized by the Helsinki MoU between the GOI and GAM, with CMI as a mediator.

After decades, the opening of the negotiation used a transcendent approach to resolve the Aceh conflict. When Aceh's independence had no choice but to be granted by the GOI, self-determination became the central point in discussions by GAM, which demanded attention from the GOI on prosperity, special autonomy, and a long history of promises within the scope of Sharia. (Liza, 2021).

Following the signing of the Helsinki MoU, the Acehnese people decided on three significant opinions. The first opinion was to be grateful and support the peace efforts, the second was to wait and see the armed response from the GOI, and the third was not to believe in the results of the Helsinki MoU. One of the people supporting the Helsinki MoU is Munawir, the field commander of GAM from Bireun Regency, Aceh. He tried to convince other GAM members to restrain and support peace efforts. In addition, he said the efforts of GAM members to fight in the forests for decades finally amounted to something with the initiation of the Helsinki MoU. In the first year, distrust of the GOI was still ongoing, but violence was significantly reduced after the negotiations. (Munawir, 2021).

Acehnese people's suspicion after the MoU in Helsinki is understandable, given the protracted conflict in the last 30 years. However, one of the most crucial aspects is that the GOI must change its treatment of non-violence after the MoU in Helsinki. On the other hand, Aceh's government policy is vital for peacebuilding.

In the socio aspect, Aceh's Government may determine and stipulate the Aceh regional flag, crest, and song as the symbols reflecting the specialty and specific characteristics. LoGA also mandates the Truth and Reconciliation Commission (TCR) in Aceh to seek the truth and reconcile victims of human rights violations to implement transitional justice. LoGA has mandated the Human Rights Court in Aceh to investigate, decide, and settle complaints of human rights violations that occur after enacting the law. The Human Rights Court's judgment in Aceh includes, among other things, the payment of compensation, restitution, and rehabilitation to victims to promote peace, democracy, reconciliation, and the prevention of systematic human rights violations. Human rights violations are a dilemma to be solved by the GOI as it pertains to their policy of authoritarian regimes during the conflict in Aceh.

One of the follow-up policies by the local government was the reintegration of GAM ex-combatants into society, including amnestied prisoners. *Badan Reintegrasi Damai,* or Peace Reintegration Body of Aceh (BRA), was established by the Governor of Aceh on February 15, 2006, with programs carried out by international agencies and local government. It comprised representatives from GAM, the GOI, and civil society. It cooperated with international agencies such as the International Office of Migration (IOM). The responsibilities of BRA were to implement and monitor reintegration programs, coordinate with other organizations and advise the Governor. (The Decree of Governor No 330/145/2007).

Reintegration was among the first programs in the peacebuilding phase to restore the state's eroding legitimacy (Barron, 2009). It occurs because reintegration involves combatants who experienced direct human rights violations from the government in the insurgency movement and stood at the front line during the war. Integrating former combatants into society, equipped with sufficient funds and suitable jobs, is crucial to preventing conflict from resuming (Barron, 2013). 75% of the combatants during the Aceh War are young men or women between 18 and 35 (Frodin, 2008). A high level of youth unemployment is an enabling factor in increasing the risk of conflict (Collier and Heffler, 2002). Most of those recruited into insurgency were school dropouts and the unemployed, the most common demographic characteristics. According to the data from BRA in 2017 – 2021, there were 27,843 victims of human rights violations. The details of BRA data are listed in the table below.

Table 4.1   Support of the Badan Reintegrasi Damai (BRA) for People Affected by the
Aceh War

| No | Category | Total | Supported |
|----|----------|-------|-----------|
| 1 | Ex-Combatants | 11,360 | 296 |
| 2 | Political Prisoners | 2,617 | 5 |
| 3 | Victims of Conflict | 13,866 | 1,253 |
| | **Total** | **27,843** | **1,544** |

Source: BRA Aceh, 2021

One of the most fundamental aspects of Aceh peacebuilding is building a prosperous livelihood for young ex-combatants. Unfortunately, the violence in Aceh hampered education. As a result, unless supported by qualified human resources, the special autonomy will run counterproductive to Aceh's future. A participant that exemplifies this perspective is Munawir, who holds a bachelor's degree in law. He was a graduate student when the Aceh crisis prompted him to fight in the jungle, and the war ended when he turned 50. However, his military experience exceeded his law studies knowledge at the onset of his reintegration into society. Consequently, when tending to the many more ex-combatants like Munawir, the local government must connect the dots among the Acehnese people in creating connections and opportunities for these individuals.

The reintegration program of Aceh is classified into three types. The first is cash allowances in the form of *diyat* (individual cash disbursement to former combatant households that had lost family members), the second category is the economic empowerment fund through the livelihood program assistance, and the last is in-kind assistance that comprises housing settlements and farmland. *Diyat* was not the original stipulation of reintegration assistance but came as an idea from the acting Governor Azwar Abubakar. The details of the type of beneficiaries and the number of funds are depicted in the table shown below:

Table 4.2 Financial Support by Local Government for Affected Aceh War

| No | Category | Planned Number | Amount of Cash (USD) |
|----|----------|----------------|----------------------|
| 1 | GAM combatants | 3,000 | 2,500/person |
| 2 | Non-combatant members of GAM | 6,200 | 1,000/person |
| 3 | Political prisoners | 2,035 | 1,000/person |
| 4 | Indonesia Pro-Militia | 5,000 | 1,000/person |
| 5 | GAM members who surrendered prior to the MoU (usually joined the militia groups) | 3,204 | 500/person |
| 6 | Individual victims of conflict (mid to late 2007) | 1,059 | 1,000/person |
| 7 | Households that had lost a family member (*diyat*) | 33,424 | 300/person/year |
| 8 | Households with damaged housing | 31,187 | 3,500/house |
| 9 | Physically disabled persons | 14,932 | 1,000/person |

Source: Barron, 2013

The various representatives were well accommodated only for physical problems (See Table 4.2). The local government support did not accommodate the people's mental health post-conflict and tsunami. In addition, a lack of claims and monitor verification was identified, as the implementation was not as simple as what was arranged in the initial plan. The local government has limited resources to confirm victims because much recent data has been lost after the tsunami.

Another project from BRA is planned to tackle housing settlements. For the first five years, the number of houses and funds disbursed by BRA is 26,025 units, with funds spent up to 125 billion IDR, leaving the remaining 3,053 units to be provided. This project is still ongoing until 2022. However, the housing settlement program also had several problems and shortcomings, particularly

verifying eligible beneficiaries and involving influential brokers who demanded up to ten percent of the house value. Suppose any suspect broker must report to the local *keuchik*, sub-district head, district head, or the Aceh Public Housing and Settlement Area Office in Banda Aceh (Yusuf, 2018).

Nevertheless, housing settlement has increased from 3,000 to 4,000 houses annually on an average 0965' over the last four years. Despite the remaining needs, in 2021, the local government cut Aceh's budget to 345 billion IDR due to COVID-19. The total housing settlement for the last four years Is shown in the table below.

Table 4.3 House Settlement Program in Aceh

| No | Year | House Settlement | Billion IDR |
|----|------|------------------|-------------|
| 1 | 2021 | 780 | 74.6 |
| 2 | 2020 | 4,042 | 348.3 |
| 3 | 2019 | 4,007 | 341.3 |
| 4 | 2018 | 4,142 | 350 |

Source: Tribun News, 2021

The last program is farming for ex-combatants, which until 2018 was delayed due to complications surrounding overlapping ownership and claims procedures. In 2017, Fakhrurrazi, the Head of BRA, lobbied Governor Irwandi to hand over 13,000 hectares of land that did not obtain the renewal of cultivation rights under the reintegration program. In 2021, 3,575 hectares were allocated for former GAM members in three cities, including North Aceh, East Aceh, and Pidie, for 1,787 former GAM. However, since it had been a long practice where most land plantation certificate contracts have been signed by corporate or business owners from the GOI, the local government and Aceh Reintegration Body are still struggling to scout for land to be used in Ace''s 23 cities/regencies. At the same time, the actors could look up to the egalitarian and communal character of the Acehnese people as the potential for economic growth if land allocation for the Acehnese people is to be realized (Dauly, 2021).

Despite having almost 50% of Acehnese people work as farmers or agriculture workers, Acehnese people's main aspirations and problems remain around land allocation. Providing land plots is one of the strategic solutions for raising prosperity in Aceh. Unfortunately, the Aceh government has only organized coffee as a commodity for local and international products. Recently, most of Aceh's goods supply comes from North Sumatra. To fully optimize Aceh's potential for agricultural commodities, synchronization between the local government strategic plan and Acehnese people.

In the human rights focus of the transitional justice approach, one of the institutions under BRA is TCR Aceh, which specializes in human rights violations in Aceh from 4 December 1976 to 15 August 2005. Based on the factual reporting of TCR Aceh about the truth-revealing process between 2017-2020, victims of past conflicts and perpetrators, whether they were involved directly or indirectly (either individually or institutionally), both need an openly pledged peace recognized by all parties, with a focus on restoring a safe atmosphere of everyday living, without the suspicion and feelings of resentment towards each other or the expert of their inheritance.

The process of revealing the truth is also carried out by obtaining statements and investigating the actors. The Aceh TCR investigation is a series of actions to obtain clarity and depth of data and certain thematic information. The method is carried out through in-depth and structured interviews, reviewing archives and libraries, and managing submissions from other parties. The method of form statement is separated by 12 regional coordinators and 74 form statement officers in Aceh province for collecting information from victims and human rights violations. A total of 5,794 forms were issued, 5,264 had varied pieces of information, and as many as 530 forms were declared damaged (statements cannot be retrieved) for various reasons and conditions.

To follow up on the revealed truths, TCR organized reparations given to individuals and groups after the truth-telling with an urgent and comprehensive reparations approach. The provision of repairs as intended is the responsibility of central and local government. Reparation consists of restitution,

compensation, rehabilitation, the right to satisfaction, and guarantees for non-repetition. The detail of the follow-up result is shown in the table below.

Table 4.4 Follow-up Support by Truth Committee Reconciliation

| No | Follow up Category | Persons |
|----|--------------------|---------|
| 1 | Medical | 349 |
| 2 | Psychology | 63 |
| 3 | Business Capital | 101 |
| 4 | Living Allowance | 427 |
| 5 | House Settlement | 933 |
| 6 | Agriculture | 168 |
| 7 | Farming | 159 |
| 8 | Fisheries | 70 |
| 9 | Compensation | 149 |
| 10 | Employment access | 148 |
| 11 | Civil Servants Access | 33 |
| 12 | Scholarship | 407 |
| 13 | Spiritual Service | 51 |
| 14 | Infrastructure Access | 17 |

Source: TCR Report, 2016 – 2021

Furthermore, TCR Aceh has recommended urgent reparations to the Aceh government for up to 245 victims, which the Aceh government has followed up on by issuing Governor of Aceh Decree No. 330/1629/2020. Recommendation urgent support include medical services for 123 people, psychological services for 63 people, business capital assistance for 101 people, living allowance for 111 people, and population service needs for six people.

TCR Aceh has spent nearly a decade initiating the investigation of the Acehnese people. Unfortunately, many circumstances changed within the period. Some people have passed away, relocated, or are untraceable. The best initiatives that may be implemented in the five years following the TCR are the establishment of institutional governance and victim data collection. However, the way to raise transitional justice is still far away. At least for now, the first step is to gain some level of justice for victims. TCR is still struggling to address the content of its report. Moreover, the second phase of transitional justice reinforces the possibilities for reconciliation, which is still considered in the distant future.

The political development of Aceh is implemented with Islamic and customary law and institutions as people's aspirations and self-determination from Aceh society. As a historical aspiration decades ago, Aceh Sharia has been implemented in four aspects: Islamic Law, cultures and traditions, education, and the role of ulama (an Islamic expert) within the government (Manan, 2020). In addition, sharia is a set of principles regulating life in Aceh regarding social, moral, religious, and legal guidance. Aceh has its governance with special autonomy institutions, which makes it different from other provinces in Indonesia. The details of Aceh institutions are shown in the table below.

Table 4.5 Aceh Special Autonomy Institution

| No | Institution | Functions |
|----|-------------|-----------|
| 1 | Wali Nanggroe | Indigenous leadership institution |
| 2 | Mahkamah Syariah | Sharia Court |
| 3 | Wilayatul Hisbah | Aceh Sharia Police |
| 4 | Ulama Consultative Assembly | Islamic Consultation for local government |
| 5 | Aceh Indigenous Assembly | Indigenous Aceh institution |
| 6 | Gampong | Indigenous Community |
| 7 | Aceh Commission Independent | An Election Commission of Aceh that authorizes independent candidates and local Parties |
| 8 | Aceh House of Representative | Parliament with Islamic Law (Qanun) product |

One attempt to address identity-related deprivation in Aceh is by granting "cultural protection." It is translated into establishing Wali Nanggroe as "an indigenous leadership institution as the uniting instrument of the community and the preserving instrument of indigenous life, customs, and culture" (Law of Governing Aceh, 2006, article 1.17). Structurally, the regime of Sharia in Aceh comprises three institutions: Dinas Syariah (Sharia Bureau), Wilayatul Hisbah (Sharia Police), and Mahkamah Syariah (Sharia Court) (Aspinall, 2007). Dinas Syariah (Sharia Bureau), established at the provincial and district level, is a primary institution to monitor and coordinate the implementation of Sharia. Wilayatul Hisbah is the special police tasked with monitoring compliance with Islamic Law, ensuring that Sharia codes are enforced (Aspinall, 2007).

In practice, Wilayatul Hisbah is the police force that raids hotels or houses, prosecutes couples who commit adultery, and arrests women who wear tight clothes or jeans. Mahkamah Sharia is a court designated to try cases and administer punishment for Sharia violations (Aspinall, 2011). Aceh's Sharia regime is also complemented by MPU or the Majelis Permusyawatan Ulama (Ulama Consultative Assembly) and Baitul Mal (Treasury House) to manage Zakat (Islamic tithe) and other religious assets. These institutions transform Sharia in Aceh into a modern religious bureaucracy that has grown extensively and demands more funds from the provincial budget (Aspinall, 2011).

Aceh has a long history of the GOI promises for Islamic or Sharia institutions. The local government is the primary actor in developing institutional and political structures rooted in Ace''s and Isla''s views. In Aceh, the GOI has maintained an aloof stance towards internal issues or actors. Therefore, the role of local actors and governments is critical for Aceh in the peacebuilding era.

The social development of Aceh by the local government is the Human Development Index (HDI). HDI achievements are formed from the components of Life Expectancy (LE), Hope Length of School (HLS), Average Length of School (RLS), and Adjusted Per capita Expenditure (PPE). Two HDI components, namely HLS and RLS, have recorded values of 14.31 and 9.33, respectively, higher than the national figure of 12.98 and 8.48. In contrast, with the components of LE and

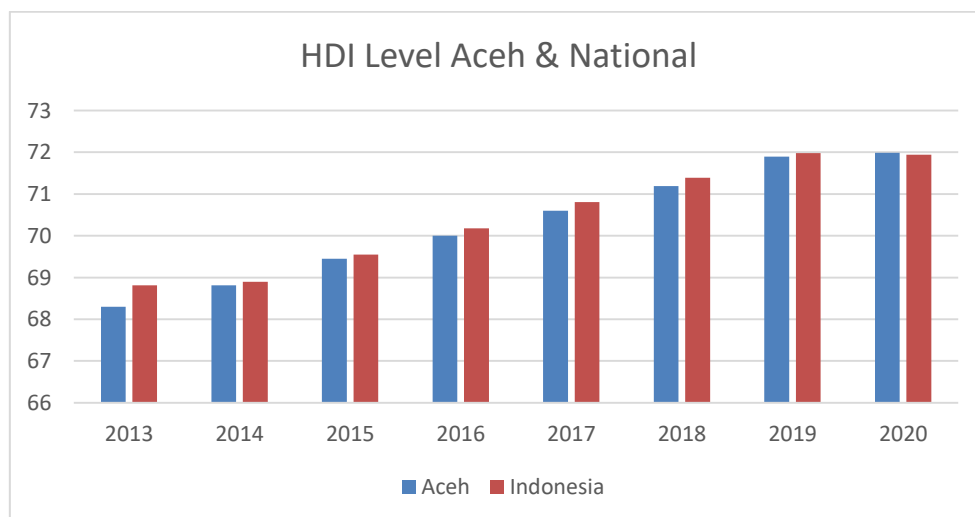PPE, Aceh is below the national level. The detail of the growth of Aceh HDI is shown in the table below.



Figure 4.1 HDI of Aceh in 2013 – 2020
Source: Centre of Statistic Aceh, 2021

District/city HDI figures in Aceh Province in 2020 show differences in human development between regions. Banda Aceh City still achieves the highest HDI rate in Aceh, with 85.41, while the lowest HDI was recorded in Subulussalam City, with 64.93. According to its constituent components, the City of Banda Aceh achieved the highest value of all The HDI components, except Lhokseumawe City has the highest UHH of 71.60 years. While the UHH and RLS components. The lowest is in Subulussalam City, which is 64.02 years and 7.84 years. The lowest HLS in East Aceh is 13.03 years, and the lowest PPd in Simeulue is 7.09 million IDR (BPS Aceh, 2020).

In Aceh, the local government still needs to play a more significant role in education. As if there had never been any conflicts or significant disasters for human resource development in Aceh in the past 15 years, the administration has made no substantial progress in developing human resources.

The political sector in Aceh's local government ensures that the opportunity to run in the local elections as an independent stream has been effectively

utilized. For example, seven out of 19 candidates ran as independent candidates in three gubernatorial elections, even though only Irwandi and Muhammad Nazar won the race successfully. At the district level, only one independent candidate, Tengku Nurdin-Tengku Busmadar, won the local election in Bireun. This situation also happened at the national level after the eligibility of independent candidates was enacted nationally in 2008. According to an SSI survey, only 35 percent of candidates in the 2015 local elections were independent, and only 14 percent of them won the election.

These four groups were well represented in the three gubernatorial elections in Aceh. The first group was GAM-affiliated candidates, mainly running as independent candidates. The second group comprised the representatives of civil society groups, most notably from SIRA (Sentra Informasi Referendum Aceh/Aceh Referendum Information Center) that ran by using Partie'' tickets or through independent streams. The third group was made up of business owners or wealthy contractors. The last group is made up of technocrats: legislators, military officers, bureaucrats, including incumbents, and party leaders. This group was nominated by national parties rather than running as independent candidates. (Clark and Palmer, 2008).

Komite Independen Pemilihan, or Independent Election Committee (KIP), was formed to manage the local independent election. The KIP has a different name and purpose in its composition from the national election committee design. KIP had more independent members without any intervention from the central election commission, but they were still facing problems with institutional and individual performance. Therefore, the Provincial Assembly selected the KIP Commissioners, representing Ace''s people.

In the first local election, the political participation from the Acehnese people's society was massive. In the last election, Aceh's participation was more than 80% of 3,523,774 voters. There are 81.96% for President's election, 81.88% for Indonesia's Parliament, and 81.75% for Aceh's Parliament. The former GAM members have gained access to official posts in the executive and legislative members as local Parties in Aceh. The table below shows the Aceh Governor and Vice Governor candidates with former GAM backgrounds.

Table 4.6 Aceh Candidates with Former GAM Background

| No | Name | Candidates | Former GAM Official |
|----|------|------------|---------------------|
| 1 | Irwandi Yusuf | Governor | AMM Representative |
| 2 | Muzakir Manaf | Governor | Defense Minister |
| 3 | Zaini Abdullah | Governor | Foreign Minister |
| 4 | Sayed Mustafa | Vice Governor | South Aceh Coordinator |

As illustrated above, the successful participation of GAM-affiliated candidates in the direct elections was the first step in democratically integrating the former independence movement into Aceh's local politics. Still, this "victory" came at a relatively high price: the friction within GAM before the elections split the movement's leadership into two main factions. One comprised most of GAM's former exile government in Sweden, around GAM's erstwhile "Prime Minister" Malik Mahmud. The most prominent figures in his entourage were Zaini Abdullah, GAM's former "Minister of Foreign Affairs" Teuku Lampoh Awe, GAM's former "Finance Minister," who passed away in October 2008; Zakaria Saman, and Muzakkir Manaf. The second faction grouped around Aceh's new Governor, Irwandi Yusuf, and included the Mayor of Sabang, Munawar Liza Zein, the former spokesman of GAM, Sofyan Daud, and other newly elected district heads.

In the three Aceh elections after the Helsinki MoU, Irwandi Yusuf and Muhammad Nazar won the elections with 38.2% in 2006 as independent candidates. Aceh local Parties candidates Zaini Abdullah and Muzakir Manaf have won the elections with 55.78%. Irwandi Yusuf and Nova Iriansyah won the election with 37.22% as Ace''s local party. Aceh's local parties have won the governorship twice and hold 35% of the parliamentary seats. This outcome indicated that the structural power of the local GAM support base and its internal allegiance were both strong. During the elections, the tension and conflict were only in the campaign phase without GOI intervention, and therefore the risk of returning to open conflict is diminished (Liza, 2021).

Table 4.7 Political Parties in Aceh Parties

| No | Parties Name | Description |
|----|-------------|-------------|
| 1 | Partai Aceh (Aceh Party) | Founded by the leader and seniors representing Former GAM members |
| 2 | Partai Daulat Aceh (Aceh Sovereignty Party) | Founded by Muslim teachers and students to promote the implementation of Shariah Law in Aceh |
| 3 | Partai Rakyat Aceh (The Aceh People Party) | Founded by student activists. Focus on the critical standing of foreign investment in Aceh |
| 4 | Partai Aceh Aman Sejahtera (Safe and Prosperous Aceh Party) | Founded by a former Aceh politician and artist, Ghalazi Abbas Adan |
| 5 | Partai Bersatu Aceh (The Aceh United Party) | Founded by national political actors |
| 6 | Suara Independen Rakyat Aceh (The Independent Voice of the Aceh People Party) | Founded by former Aceh pro-referendum activist |

Source: Hillman, 2012

Five years after the Helsinki MoU, peacebuilding in Aceh is in progress to create a peace structure based on justice, equity, and cooperation from the GOI while accommodating and synchronizing Aceh's aspirations within the GOI system. As a result, the violence that occurred structurally by the GOI and personally by the army in the field was reduced significantly. Following the MoU in Helsinki, former GAM, researchers, and society appreciated and agreed on various approaches.

In the economic sector, the local government has a massive budget allocation from the GOI. In the early phase of the MoU in Helsinki, recognizing the extent of the devastation, the GOI declared the tsunami in Aceh a national disaster and formulated a master plan for reconstruction. One of the

fundamental principles of this plan was that "reconstruction should not rebuild poverty but ensure that local economies are robust enough to prevent poverty over the long term." Through its elected Governor, the local government has again become the leader in strategic planning and direction for Aceh.

Recently, a medium-term Development Plan was released, and the local government has elaborated its strategic framework for economic development based on the Triple-A concept, comprising an Atlas (compilation of relevant economic data), an Agenda (providing the economic development vision and strategies to promote economic development), as well as the Rules, which explain the institutional mechanisms by which this vision and strategies can be implemented. This framework identifies three leading economic sectors for the province (agriculture, trade, and services), key because of their contribution to regional production and employment. (World Bank, 2008). From the Triple-A, Aceh Governor 2017-2022 has nine strategic issues with details as shown in the table below.

Table 4.8 Mid-term Aceh Strategic Issues

| No | Strategic Issues |
|----|------------------|
| 1 | Quality of Education and Dinul Islam |
| 2 | Access and Quality of Health |
| 3 | Integrated Infrastructure |
| 4 | Food Security and Independence |
| 5 | Value-Added Strategic Sectors |
| 6 | Labor Quality and Competitiveness |
| 7 | Energy Investing and Independence |
| 8 | Sustainable Natural Resources and Disasters |
| 9 | Peace and Bureaucratic Reform |

Source: Qanun Aceh, 2019

With assistance from SAF, which accounts for more than 50% of the budget allocation for Aceh, the local governments have identified seven local priorities for SAF to fund: infrastructure, community empowerment, education, health, poverty, and social. However, the Aceh government only focuses on

infrastructure, leaving over half the budget for the remaining five sectors. The Special Autonomy Fund (SAF) governance is regulated by Qanun (regional Aceh regulation). The allocation of SAF: a minimum of 30% for education and 70% for others. In addition, 60% for infrastructure in the city/regency and monumental infrastructure. The GOI has reminded the Aceh government to balance other sectors and optimize the special autonomy fund, which will end in 2027. The detail of SAF proportion is separated by the table below.
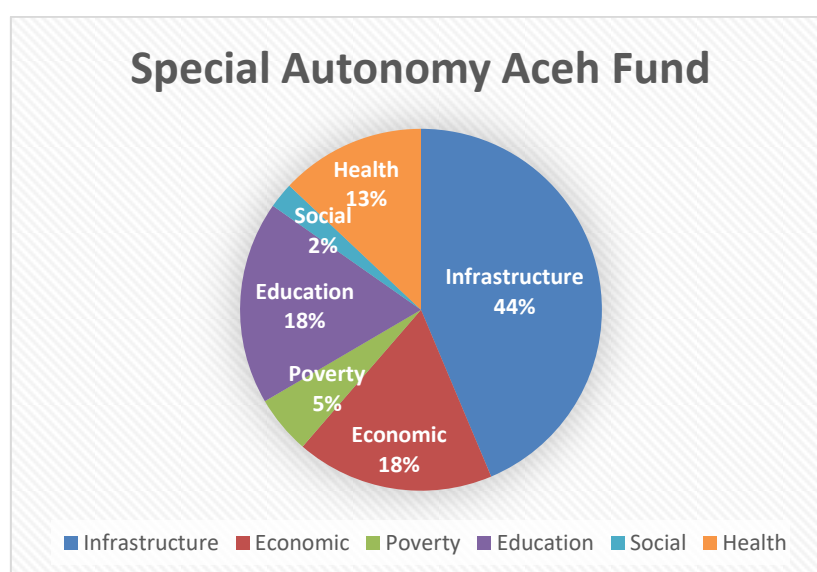


Figures 4.2 Special Autonomy Aceh Fund (SAF) Proportion

The 4.2 table shows that almost half of the special autonomy fund is allocated only for infrastructure. On the other hand, economic and social development still needs an improvement strategy from the Aceh government; such an emphasis on infrastructure is ineffective for human development in Aceh. Moreover, infrastructure is not an entry point for a domino effect, such as investment, industry, and plantation development (Dauly, 2021). Because regional income only accounts for 20% of Aceh's whole income, Aceh relies heavily on the SAF to run its administration (Dorodjatoen, 2021). The details of Aceh's regional income are shown in the table below.

Table 4.9 Source of Aceh Budget Allocation

|   | Category | 2019 billion IDR (million USD) | 2020 billion IDR (million USD) |
|---|---|---|---|
| 1 | Regional Income | 2,861 (0,19) | 3,043 (0,20) |
| 2 | Financial Regional Income | 1,462 (0,097) | 88,272 (5,87) |
| 3 | GOI Support Income | 26,767 (1,78) | 27,714 (1,84) |
|   | Total | 31,092 (2,07) | 31,641 (2,10) |

Source: Center of Statistic Institution Aceh, 2021

The level of independence is based on the percentage of the Original Regional Income or Pendapatan Asli Daerah (PAD) to total regional income. A region's finances can be classified as very low (0-25%), low (>25-50%), moderate (>50-75%), and high (above 75%). Based on the figure below, the level of independence of the Regency/City government of the Regency/City during 2019-2020 is deficient, around 10 percent every year. For example, the lowest city PAD received by the City Government of Subulussalam was 51.81 billion IDR in 2019. In 2020, the lowest PAD was estimated to be achieved by the City of Sabang, which is 61.74 billion IDR. On the other hand, the highest city PAD is obtained by Banda Aceh City Government as the provincial capital, amounting to 235.11 billion IDR in 2019. In 2020, the Banda Aceh City Government's targets will receive a PAD of 309.70 billion IDR. However, the increase of PAD in Aceh is one of the points for Ace''s independence from the GOI in the future. In statistics, the percentage of Aceh PAD is shown in the table below.

Table 4.10 Regional Income Contribution to Aceh
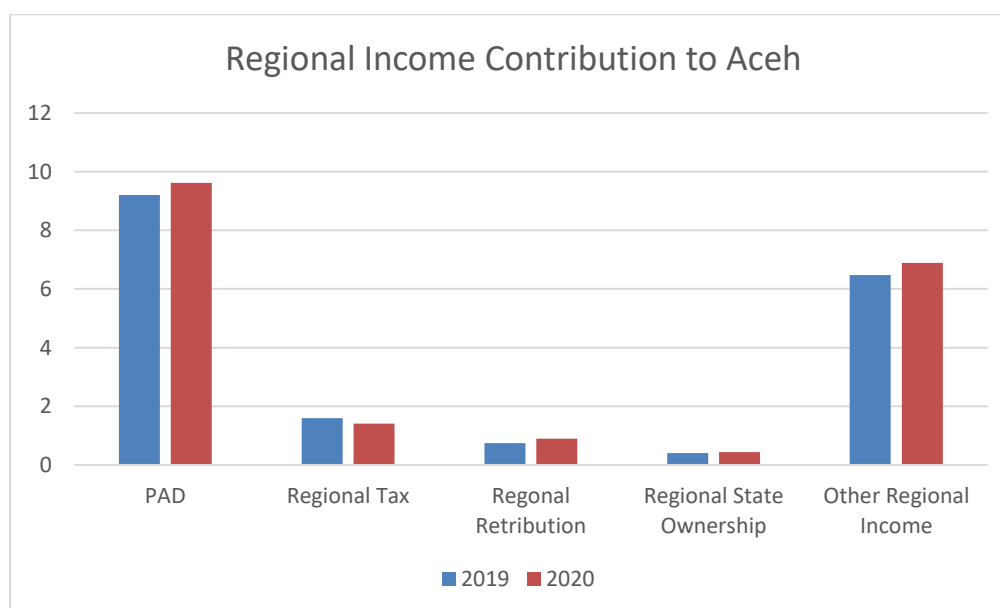


Source: Centre of Statistic Institution Aceh, 2021

The expenditure budget of the Aceh region is separated into three focus areas: the allocation for personnel expenditure, goods and services, and capital expenditure for investment. The biggest expenditure category within the budget allocation is district/city government personnel expenditures, which amounted to 11.02 trillion IDR (766 billion USD) in 2019 and is targeted to increase to 11.65 trillion IDR (810 billion USD) in 2020. This increase could be due to the addition of the number of employees, a transfer of employee positions, or an increase in salary and employee benefits. Aceh's expenditure allocation budget is presented in the table below.

Table 4.11 Regional Expenditure of Aceh

| | Category | 2019 billion IDR (million USD) | 2020 billion IDR (million USD) |
|---|---|---|---|
| 1 | Indirect Regional Expenditure | 16.256 (1.08) | 17.323 (1.15) |
| 1.1 | Employee | 9.299 (0.69) | 9.690 (0.64) |
| 1.2 | Interest | 2.65 (0.017) | 3.41 (0.023) |
| 1.3 | Subsidy | 8.33 (0.055) | 6.78 (0.045) |
| 1.4 | Grant | 282.23 (0.019) | 220.38 (0.015) |
| 1.5 | Social Support | 210.44 (0.014) | 250.55 (0.017) |
| 1.6 | Profit Sharing | 44.89 (0.0029) | 65.87 (0.0043) |
| 1.7 | Support to City/Regency | 6.354 (0.42) | 6.852 (6.852) |
| 1.8 | Unexpected | 53.84 (0.0035) | 233.78 (0.015) |
| 2 | Direct Expenditure | 13.576 (0.9) | 14.129 (0.94) |
| 2.1 | Employee | 1.719 (0.11) | 1.960 (0.13) |
| 2.2 | Good and Services | 6.275 (0.42) | 6.606 (0.44) |
| 2.3 | Capital | 5.581 (0.37) | 5.561 (0.37) |
| 3 | Financing | 50.97 (0.0033) | 52.38 (0.0035) |
| | **Total** | **29.888 (1.99)** | **31.505 (2.09)** |

Source: Centre of Statistic Institution Aceh, 2021

Direct Expenditures comprise personnel expenditures, goods and services expenditures, and capital expenditures directly related to program implementation and activities related to the Aceh peacebuilding program. On the other hand, Indirect Expenditures directly relate to the implementation of social programs and activities indirect expenditures are allocated for institutional expenses to run the government. For example, Social Support expenditure has been budgeted to aid community organizations, political parties, and others to improve welfare, although not directly supporting society. Direct and indirect budgets separate the personnel budget. Personnel direct expenditures are related to implemented events and programs. Indirect personnel expenditures are related to the salary and remuneration of a civil servant.

District/City Government Expenditures throughout Aceh Province amounted to 29.88 trillion IDR in 2019 and are targeted to reach 31.51 trillion IDR in 2020. Most of the spending is for indirect expenditure, which was 16.26 trillion IDR in 2019 and 17.32 trillion IDR in 2020. Even though this expenditure is only a routine expense to run the wheels of government, the indirect expenditure that reached 9.30 trillion IDR in 2019 and 9.69 trillion IDR in 2020 spends the most on personnel. This budget item was followed by spending on financial assistance to villages, which reached 6.35 trillion IDR in 2019 and 6.85 trillion IDR in 2020. This allocation should be appreciated considering that these funds are the village's leading source of economic growth. In contrast to indirect spending, tied to development programs and directly impacts the regional economy, direct spending only totaled 13.58 trillion IDR in 2019 and is expected to reach 14.13 trillion IDR in 2020.

Most direct spending is for goods and services, reaching 6.28 trillion IDR in 2019 and is targeted to be 6.61 trillion IDR in 2020. This increase has less impact on the regional economy. Capital expenditure ranks second. There exists a question, however, about the suitability of the policy, given that capital investments have a cascading effect on the economy. This capital expenditure is targeted to decrease from 5.58 trillion IDR in 2019 to 5.56 trillion IDR in 2020. In 2022, one priority program that has not reached the mandated target in the 2017-2022 RPJMA Qanun is the construction of low-income housing despite the local government budget allocation being twice what it was for the previous four years. The reorientation of the Aceh Regional Budget for Covid-19 has been ongoing for the past two years. After 2022, Aceh will hold an election, and SAF, as the backbone of Ace''s regional income, will be reduced by more than half and will cease in 2027, based on LoGA.

New strategies from the next Governor are needed for a sustainable Aceh. Infrastructure has received most of the financial allocation thus far. The Aceh government has set medium and long-term plans to improve human life quality. However, the government's plan to create a sustainable Aceh has not yet been drawn up with the present allocation. Especially with government support coming to an end shortly, there is an urgent need to reallocate the budget for the next five years to safeguard the welfare of the people of Aceh and the success of the special autonomy of Aceh.

### 4.1.2 GOI Policy in Aceh After Helsinki MoU

Trauma caused by the Timor-Timur issue has caused internal tensions within the GOI towards the Helsinki MoU. However, transitioning from an authoritarian to a democratic regime is a substantial factor in successfully negotiating peace. Breakthroughs achieved by the Helsinki negotiations clearly defined Aceh's special autonomy within the unitary Indonesian Republic. Specifically, these negotiations established provincial and district government authority over all public affairs sectors (excluding foreign affairs, external defense, national security, monetary and fiscal matters, justice, and religion). They also agreed that all decisions on domestic or international affairs related to Aceh undertaken by the national government or legislature would be made in consultation with and without the consent of the Aceh government.

The Helsinki MoU further committed the governments of Indonesia to facilitate the reintegration into society of anyone who had participated in GAM activities and civilians affected by conflict. The commitment is made by establishing a reintegration mechanism under the administration of the authorities of Aceh. All GAM members were promised amnesty by the GOI, and people who had given up their Indonesian citizenship may get it back. The GOI granted amnesty to all participating in GAM activities and released over two thousand political prisoners. Thousands of ex-combatants, ex-prisoners, and displaced people returned to their communities. Peace took hold immediately in Aceh. AM's job proved easier than had been expected. The level of violent incidents and deaths dropped to just a few per month, lower than in most other Indonesian provinces. The following figure shows the violence in Aceh five years after the MoU in Helsinki.
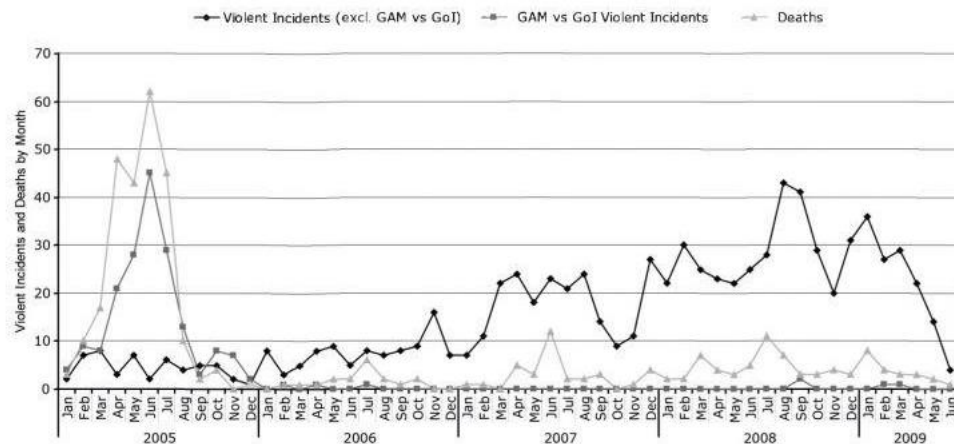
Figure 4.3 Violent Incidents and Deaths by Month

Source: Aceh Peace Monitoring Update (APMU), Center of Peace and Conflict

Resolution (CPCRS), Syiah Kuala University

Peacekeeping involves a third-party intervention to keep apart warring groups and maintain the absence of direct violence. The critical phase for Aceh is to make sure that the peace agreement is still on track to rebuild New Aceh after the earthquake, tsunami, and conflict. Establishing an external monitoring team will become possible in Aceh, but not a foreign peacekeeping force. Both parties agreed to build Aceh Monitoring Mission as a peacekeeper committee managed by the European Union (EU), which officially launched on 15 September 2005 and lasted for six months. It was later extended until December 2006 with the election and LoGA as significant events, and continued work until 2012 to monitor the policies of the local and GOIs.

The Aceh Monitoring Mission (AMM) caused the surrender of GA''s weapons and the arm's disengagement from central administration in Aceh to happen faster while the new Aceh government was still being formed in the Indonesian parliament. After the MoU in Helsinki, 2,000 GAM prisoners were released by the government this action-built GAM's confidence in the peace processes. The amnesty had to be implemented early and quickly. The AMM's key function was to monitor the releases and "keep up the pressure" on Jakarta to ensure that the amnesties were carried out speedily and thoroughly. Only GAM prisoners

who were involved in the insurgency get amnesty. GAM members convicted of criminal charges were excluded from this program. These issues created discontent within GAM, which blamed the AMM as the authorized institution.

During the early stages of the peacekeeping process, the AMM reported several incidents. The accidents were that the military continued aggressive patrolling, and there were continuing allegations of harassment, beatings, and extortion by Indonesian police. In the process, only two accidents were solved by the AMM. The first accident was one GAM member shot the army in North Aceh, and in response, one of the military members shot sporadically and injured at least four people. The AMM immediately resolved the incident. The peacekeeping process significantly reduces violence because both parties are strict on the peace agreement. In total, as shown in the table below.

### 4.1.3  Aceh Peacekeeping Process

| | | Weapons handed over | | Turn back | |
|---|---|---|---|---|---|
| Stages | Month | Handed Over | Accepted | Army | Police |
| I | September | 279 | 243 | 6,641 | 1,300 |
| II | October | 291 | 233 | 6,097 | 1,050 |
| III | November | 286 | 222 | 5,551 | 1,291 |
| IV | December | 162 | 142 | 7,628 | 2,150 |
| Total | | | 840 | 25,890 | 5,791 |

Source: World Bank, 2006

Even while not all ambitions are fulfilled, political stability and trust in the GOI were demonstrated in 2006 by the LoGA. The stability helped sociopolitical institutions flourish and prompted the special autonomy fund to provide

financial support in 2008 (Kurniawan, 2021). As required by LoGA from 2007 to 2022, the GOI has budgeted 8.84 trillion IDR or 613.86 million USD (converted in December 2021) or equal to 2% of the General Allocation Fund for Ace''s reconstruction following the tsunami peacebuilding process. The Autonomy Special Fund in Aceh is 63.9% of the Local Government Budget of Aceh Province. The average budget allocation from the GOI to cities and regencies was 52.31 percent of the City Government Budget. At least in the last 15 years, more than half of the Local Government revenue depended on the GOI (Andriyanto, 2021). From 2008-2019, the GOI supported the special autonomy fund with 72.285 trillion IDR, which equates to 5.060 billion USD (December 2021).

Table 4.12 Percentage of Special Autonomy Fund and Aceh Budget Allocation
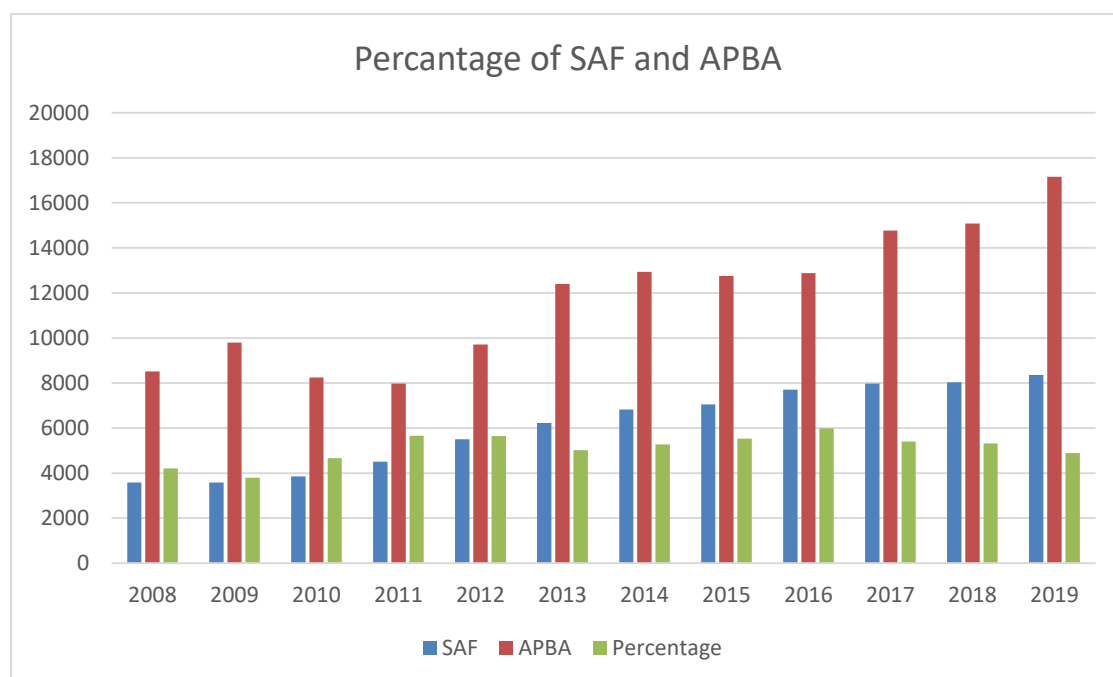


Source: Indonesia House of Representatives, 2020

The highest percentage of special autonomy funds compared to APBA was in 2016, with 59.86%; the lowest was in 2009, with 38%. The table above shows that the average percentage from 2008 to 2019 (12 years) is 51.57%. Every

year, the average fund of Aceh's special autonomy can support APBA by more than 50%. The Aceh SAF had increased yearly, with the most significance in 2012 when it reached 5.479 trillion IDR, up to 21.48% from 2011; the lowest increase can be seen in 2018 when it reached 8.030 trillion IDR, up to 0.75% from the previous year.

The average fund of Aceh's special autonomy for 12 years from 2008-2019 was 6.110 trillion IDR, while the average annual growth rate was 7.48%. This number is significant in supporting the implementation of the development in Aceh. Over the past 12 years, the GOI has disbursed a special autonomy fund of more than 73.326 trillion IDR or, on average, annually, amounting to 6.110 trillion IDR. As mandated by LoGA, the Aceh special autonomy fund will be provided for 20 years, i.e., 2% of the DAU, i.e., for 15 years, and the remaining 1% of the DAU for five years.

There has not been a return from foreign and domestic investors, as they may still avoid the region due to the conflict. The government and the Aceh government aggressively courted investors by promoting potential natural resources in Aceh and its strategic location at the heart of the Indonesia-Malaysia-Thailand growth triangle. However, investors were still taking a "wait-and-see" approach to Aceh.

According to the Aceh Provincial Investment Promotion Board (Badan Koordinasi Penanaman Modal Daerah, BKPMD) data in 2006-2008, when all these investments reach fruition, they will inject over 1.6 billion USD into Aceh's economy and provide jobs for at least twenty-two foreigners and 4,021 domestic workers. Forty-two foreigners and six domestic investors registered intent to invest and initiated permit applications. With the decline in tsunami-related construction and oil and gas production, Aceh's economic growth was driven by an expansion in agricultural production. Therefore, expanding agricultural production can play a significant role in this effort.

Since the end of the conflict, local investment in small-to-medium-sized credit has increased steadily. The support coming from the GOI, which collaborates with private commercial banks in the form of loans, has shown a steady increase over the past four years. Over half of these loans went toward consumption,

although there has been a slight increase in loans for working capital, mainly for trade activities, which accounted for nearly a quarter of the funds loaned in 2007.

The political milestone in Aceh was the election to vote for the Governor and Head of the District in 2006. The question of whether local political parties and independent candidates would be admitted to provincial elections, as stipulated in the MoU, came to the forefront of discourse. If independent candidates were not allowed to run, GAM threatened to boycott the elections. After much dispute and several revisions, LoGA allowed local parties and independent candidates to run for provincial elections. Only Aceh province in Indonesia allows local parties to join the local election. The Aceh election was held three times in 2006, 2012, and 2017 as fundamental to the consolidation of democracy and peace. Representative groups like former GAM or indigenous groups were allowed and facilitated in political life. GAM leaders had chosen to fight in politics using political weapons.

A feature unique to the post-conflict local elections in Aceh is the eligibility of independent candidates. Independent candidates are only required to gather support from at least 3% of the Aceh population, as verified by the ID cards of supporters. This regulation was initially aimed at allowing former GAM members to run without forming an established political party, as it is easier for them to run independently. Later, independent candidacy is still employed for broader political participation in elections for the people. However, Aceh still experienced low or negative growth rates in the last three decades. In addition, over half of all Aceh's infrastructure categories were in poor condition due to conflict, natural disasters, or lack of maintenance (World Bank, 2007).

## 4.2 Unfinished Helsinki MoU

The Helsinki MoU was intended to accelerate Aceh's post-conflict and tsunami recovery. To ensure peacebuilding in Aceh, actors must remain vigilant of certain aspects, namely social, political, and economic aspects. The former GAM leader, in particular, urged the GOI to implement outstanding clauses of the MoU. The GOI, on the other hand, must consider sovereignty in major aspects, such as monetary and immigration policy. Although the GOI supervises the programs and

budget allocation from a high level, there is a need for effective and timely action regarding human development and land optimization to secure the future of the Acehnese people.

### 4.2.1  Social and Human Rights

During the recovery process, symbology became a necessary accommodation by the GOI in the region of Aceh. However, actions occurring during the implementation remained controversial. Through the implementation of LoGA, usage of the GAM flag that incorporates Qanun came into question. The GOI stipulated a prohibition on using GAM's crescent moon symbol in flags through the Government Regulation Number 77 of 2007 regarding Regional Symbol, which states, "What is meant by logo design and flags of prohibited organizations or organizations/associations/institutions/separatist movements in this provision are, for example, logos and crescent moon flags used by separatist movements in Aceh Province." The line specifically classified the usage of such a logo as a separatist action.

For the last five years, the commemoration of GAM (4 December) and the signing of the Helsinki MoU (15 August) have been contentious due to the flags raised in the ceremonies. For example, on August 15, 2020, the GAM flag was raised for 1 hour in front of the Aceh Party office in Banda Aceh. On December 4, 2021, hundreds of former GAM raised their flag in front of the Grand Mosque Baiturahman in Banda Aceh City. According to the former GAM members, the GAM flag is legally owned by Qanun because of a mandate from LoGA. However, the GOI police took down the GAM flag claiming that the GOI had revised Qanun and was not under government regulations, making the flag-raising activity treason (Winardy, 2021). Therefore, the GAM flag remains a status quo and a controversy in Aceh.

Another issue in implementing LoGA is the reintegration program for former GAM members established by the Aceh Reintegration Agency. One of the measures under point 3.2.3 of the MoU Helsinki is to provide economic aid to former fighters, pardoned political prisoners, and affected civilians. However, until today, there has been no social security or job opportunities as promised. In

addition, minimal provision of suitable agricultural lands has been actioned to compensate former combatants, political prisoners, or victims of the conflicts. (Liza, 2021).

Former GAM members are more likely to work in agriculture and less likely to work as traders or in the informal sector. However, most ex-combatants appear to have returned to their pre-GAM occupations. Around 39% of male combatants work as full or part-time employees in the agricultural sector, 19% are non-agricultural daily laborers, and 9% work as traders. Details of previous employment are provided in the diagram below.
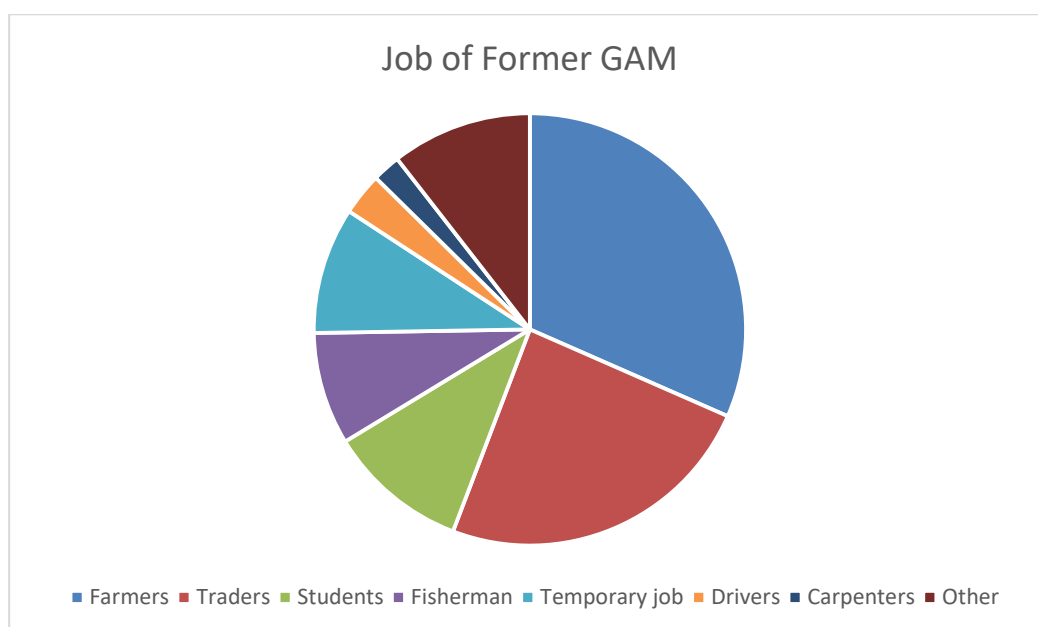


Figure 4.4 Job of Former GAM

Source: World Bank, 2006

The diagram above shows that Aceh's economy is based on informal jobs. Therefore, to foster their livelihood, human resource development should play up to the particular strengths and abilities of the people. However, existing government programs that provide one-time support are only helpful in the short term and cannot increase human resources in Aceh. With all the constraints, long-term training and mentorship in attitude, capital, and technology is the key to

optimizing the growth of Aceh's human resources to move past the trauma of conflict and tragedies.

One of the tools to solve human rights violence in the Aceh conflict is the Human Rights Court, mandated by Helsinki MoU, and a Truth and Reconciliation Commission (TRC) for Aceh. GOI's Law No. 26 of 2000 on Human Rights Court established four permanent human rights courts in Indonesia, including one in the nearby city of Medan that is given jurisdiction over Aceh, fulfilling Indonesia's obligation for the Helsinki MoU. However, no cases regarding Aceh have been heard in the Medan court.

In addition, the Law of Human Rights also allows for establishing "ad hoc human rights courts" to manage major human rights violations that occurred before 2000. However, it is unlikely that such a format will be used to try cases relating to the Aceh conflict. Some GOI politicians argue that since the government has already granted amnesty to GAM members, enforcing the law against Indonesian soldiers accused of committing abuses during the same period would not be proper. One human rights case is underway in the Columbia District Court, United States. The hearing finally occurred after 20 years of effort and nine applications refused by the District Court to investigate the human rights violations between the Acehnese people and Exxon-Mobile. In Indonesia's Human Rights Court, TCR has not conducted further investigations due to limited authority of budget, manpower and institutional of TCR.

TCR took maximum action by thoroughly evaluating the findings resulting from truthful comments. On the other hand, TCR had taken no legal action in response to the conclusions of the parties accused of being the perpetrators of human rights breaches. TCR was one of the tool commissions tasked with investigating past occurrences, creating an accurate picture of the pattern of abuses, and making recommendations for resolving past wrongs, including sending instances to the Human Rights Court. If Aceh creates its own TCR without a national organization, there will be a conundrum because the commission will solely affect Aceh and have little impact on national actors.

In a leading statement to parliamentary and presidential elections in 2009, most national lawmakers were more interested in Indonesia's future

than its past, which meant being unsupportive of Aceh's attempts to establish either a Human Rights Court or TCR or in any national-level endeavors to bring past human rights violators to justice. (Hadi, 2008).

Most politicians stated that it was time for the people of Aceh to forgive and forget rather than to continue digging into past traumatic events. However, forgetting is not a viable solution considering the Aceh conflict's nature and cultural traditions. The Truth and Reconciliation body has been established, but it has met with severe challenges from different quarters because the local law (Qanun), which is weak, is being applied. (Liza, 2021).

When the first period of the Aceh TCR was supported by many community organizations, the civil society organizations (CSOs) through the Aceh Truth Disclosure Coalition (KPK), there was a limited source of budget for KKR Aceh. Therefore, TCR focused on the mandate of the Aceh TRC in 2018 per the stages of work and the strategic plan to know the truth about allegations of human rights violations that occurred in the past. However, in the first stages of implementing the truth-telling mandate, when it was already too late for more than ten years, as an institution, TCR faced limitations, especially regarding funding to implement their program.

So, TCR received significant support from CSOs to implement their project by providing personnel for the statement of truth around the Aceh area. This limitation also affects the range of working area; KKR Aceh re-rationalizes its working area based on initial victim data obtained through partner agency submissions.

Compensation for former combatants, political prisoners, and affected civilians has not been appropriately resolved. One of the new institutions in Aceh is the Truth and Reconciliation Commission (TCR) in Aceh, mandated to seek the truth and make reconciliation. However, in the last 15 years, the victims' rights have still struggled to be realized by the government.

Standing Committee on Human Rights and Peace (SCORP) Aceh explains that the problem of TCR is still limited human resources and budget allocation because the institutional form is under the Aceh Reintegration Body (ARB). After fifteen years, there have been no concrete steps for a follow-up

investigation of TCR from the Aceh government or the courts. They had heard about the peace and that the fighting had stopped. That was great, but there was no other tangible difference. Nothing changed in the victim's condition when he visited the victim's house ten years ago compared to nowadays (Arifin, 2021). There is no restitution for more than five thousand families that were victims of the thirty-year conflict because of the limited authority of TCR. (Kurniawan, 2021).

So far, the programs run by TCR under ARB are general treatment, such as the distribution of plant seeds and tailor training, which are unrelated to the lives of each victim. There is no physical, psychological, or economic rehabilitation assistance according to the victim's needs to develop themselves. Transitional justice needed more action from the government to ensure human development in many aspects to ensure peacebuilding in the future.

### 4.2.2  Politics and Governance

Since the MoU in Helsinki, Aceh has held three elections where the new political parties provided former GAM members access to occupy various prestigious and strategic political and social positions and win many lucrative contracts during the post-conflict reconstruction process. The new emerging circle of power and the social structure in the province have given rise to internal antagonism and social conflict. In particular, the establishment of the Aceh Party by the former GAM is explicitly viewed as having produced conflict among themselves. Conflict in post-Helsinki Aceh follows three common patterns. The first pattern is economic competition and political contestation among former GAM elites. The second one involves antagonism and anger among former GAM combatants and elites. The third pattern revolves around ethnic hostility between the dominant Aceh ethnic group, prominent supporters of GAM, and the diverse non-Aceh ethnic groups, who were generally opponents of GAM (Ansori, 2012).

The former GAM conflict involved economic and political competition over high-value tenders and contracts related to the post-war reconstruction phase, which turned the former GAM elites upset and even hostile. Following the Aceh Party's astounding victory in the provincial election, a new circle

of power and rich patronage networks emerged in Aceh, as numerous GAM members became bureaucrats.

In the reintegration effort initiated through the BRA program, the plan is for people to *swakelola* or "self-manage" the construction of houses through an output-based program. The user will receive cash grants and be free to select a building contractor. The program also offers a list of recommended contractors. With this arrangement, the funds are disbursed before the house is built. However, the such practice raises a concern in the new era of Aceh's new political reality, as the contractors are most likely linked to GAM due to the group's chokehold on the industry. It is feared that the new approach may benefit one group's interests at the expense of the broader community.

A possible resolution for the broader community is establishing an independent audit process once construction is underway. It is in everyone's interest to ensure that the safeguards built into the program are working correctly. However, a case is identified where the GOI, as the funding agency for BRA, is confused about its implementation on the ground. According to one international observer in Aceh, the problem is that BRA and its donors never had a strategic plan. In addition, the BRA is the only institution providing cash grants to individuals for reintegration. Many key district governments are controlled by the BRA allocation budget derived from district councils (DPRD).

Former GAM had a vast opportunity after being elected to governmental and parliament posts to produce local laws. Nevertheless, many local laws passed are unsatisfactory as planned due to a lack of competency. The LoGA is an umbrella law that regulates the special and autonomous region of Aceh. It is the *lex specialis* for Aceh governance, but conflicts can arise between the LoGA and other Indonesian laws. The former GAM combatants in parliament call this regulation a conflict. Due to a lack of competency and conflict between the national regulation, many local laws passed are unsatisfactory as planned. In addition, the Peraturan Pemerintah, or Government Regulation No 3 of 2015, stated that almost all authorities in Aceh are controlled by the GOI. This Government Regulation was introduced without the Governor of Aceh's consultation and is against the Helsinki MoU's spirit (Liza, 2021).

Corruption in Aceh's government is one of the critical issues in Aceh. One of the corruption cases is the latest Governor, Irwandi Yusuf. In April 2019, a panel of judges at the Corruption Court suspended Aceh Governor Irwandi Yusuf to seven years in prison for accepting bribes and unlawful gifts from Bener Meriah Regent Ahmadi for 1.05 billion IDR (74,084 USD) in exchange for an infrastructure project in his regency. He was also found to have accepted 8.7 billion IDR in gratuities from owners during his terms as governor. Irwandi Yusuf is the second Aceh governor to be convicted of corruption, following Abdullah Puteh (2000-2004), who was sentenced to ten years in prison for accepting a bribe concerning the procurement of an MI-2 Rostov helicopter worth 827,500 USD.

The corruption case between the governor and the mayor revealed personal and group interests in the Aceh government. In addition, the infrastructure sector accounts for most Aceh government programs and budget allocation. The corrupt Aceh government's strategy is to manipulate budgets and create wasteful projects. One of the latest corruption cases is the Samudera Pasai Monument project, a total of 48,8 million IDR (USD 3,392 million). There were five suspects in this corruption case, comprising two procurement officials, two workers of the contractor, and one project supervisor. The prosecutor alleged differences in specifications and quality of the built. As a result, the building is prone to collapse and has been closed to the public. Another case of suspected corruption is the procurement of sinks by the Aceh government, with a total budget of 41.2 billion IDR (2.8 billion USD). The suspects include Aceh Education Office, the School Principal, and a commercial contractor.

Aceh held local elections in the province and city/regency with special autonomy in the first period of 2006. One of the elected mayors is Munawar Liza from the National Aceh Party in Sabang City, where most members were former GAM. During his leadership, LoGA, as implemented from Helsinki MoU, was likened to a sack of mangoes. It only smells good from the outside, but when the sack is opened, the government already takes some of the sweet mangoes (Liza, 2021).

For example, in Sabang, only one derivative regulation from the LoGA is needed, even though many others are needed. The Sabang Free Port and Trade Area rule, mandated by LoGA and Law No. 37 of 2000 regarding the Sabang

Free Port, is critically needed (SFP). Special autonomy is generally adopted symbolically and formally, although bureaucrats face challenges in its implementation and spirit (Liza, 2022). Leadership and bureaucratic skills are needed to be improved. Understanding special autonomy is a requirement for well-formed institutions. So far, the government has only finished its program and divided projects between politicians and authorities (Kurniawan, 2021).

For access and transportation, Aceh conducts the development and administration of all seaports and airports within the territory of Aceh in Article 1.3.7 of the Helsinki MoU. Airports and seaports are still operated by state-owned enterprises and regulated by the GOI. Aceh is geographically part of the Malacca Strait of international strategic trade. One of the proposals from the Aceh government is the Sabang free trade. Sabang is the northernmost location and the strategic position to develop as an alternative port in the Malacca Strait. Until now, there has been no policy from the GOI to stipulate Sabang as free trade area (Liza, 2021). Concerning territory, Aceh will be able to direct and unhindered access to foreign countries by sea and air in article 1.3.7 of the Helsinki MoU. Until now, there has been no follow-up policy from the GOI to realize this point. Acehnese people follow the immigration process like usual.

Local government policies are difficult to implement their vision due to bureaucratic problems from the central and local government civil servants' mindset of business as usual. The spirit of building Aceh with an autonomous region is not reflected in local government policies because there is no connection between the leader's vision in Aceh, elected alone by-election, and the existing bureaucracy.

During the parliamentary elections, numerous inexperienced politicians were elected to district and provincial parliaments. Although it is hoped that Partai Aceh's strong performance will lead to somewhat less fractious legislatures than before, the combination of patronage and populist politics that swept these candidates into office, as well as their relative inexperience in government, could compound some of the inefficiency that has plagued lawmaking in Aceh.

Wali Nanggroe is one of the special autonomy institutions with the vision of being the "guardian of the state." This conceptualization holds that the figure's authority is higher than the governors. Many in Aceh perceive the Wali

Nanggroe as a sort of royal guardian of Aceh, whose role harkens back to that of the Aceh sultanate. Meanwhile, an additional phrase in the MoU of Helsinki was left deliberately vague: "The institution of Wali Nanggroe, with all its ceremonial attributes and entitlements, will be established." Among some circles in Jakarta, people interpret the Aceh demand for the reinstitution of the Wali Nanggroe's position as proclaiming a new "constitutional monarchy" within the Indonesian state and a direct allusion to Aceh's long history of resistance against outside domination. This interpretation lends weight to lingering suspicions among national leaders that former GAM members still have a grand plan for an independent Aceh.

As mandated by Qanun No. 9/2013 and LoGA, there are numerous opportunities and challenges. The finding brought few opportunities for Wali Nanggroe. It could be implemented in educational development regarding LoGA and the Qanun in the schools' curriculum. While challenges to the implementation of Qanun No. 9/2013 remained, there was debate about the existence and institutional status of the Wali Nanggroe institution. Even though the Qanun of the Wali Nanggroe-rated communities clashed with the Aceh Governor's policy as the highest leader in Aceh province when following the legislation of the Government Republic of Indonesia. On the other hand, the relationship between the Wali Nanggroe and the policy regarding educational development is closely associated with the LoGA and the Qanun of special autonomy.

The master plan of GAM after the Helsinki MoU is to switch movements from combatants to control the parliament and government. In the last 15 years, it would have had a greater opportunity to draft local laws. However, the former GAM combatants have no role in national constitution-building (Liza, 2021).

Local political parties are not involved in electing the national parliament. Several GAM combatants have attempted to be elected to the national parliament through national parties, but many were unsuccessful. As a result, Jakarta and Aceh's communication channel is yet to be effectively and adequately built to harmonize Aceh's policy with national regulation. In many ways, local policies in Aceh are run by themselves, which seems like special autonomy. Nonetheless, the Acehnese people must strengthen their political capacity, not only for elections but

also for good governance. Alignment with rules and regulations implemented by the GOI is also essential for Aceh.

### 4.2.3 Economic Development

Aceh's post-conflict economic recovery has been a significant factor in keeping Aceh at peace. Most former combatants, pardoned prisoners, and conflict victims are able to work. Acehnese people have responded positively to peacetime opportunities and have gratefully returned to work in their fields, groves, and shops. However, the preceding narrative also underscores this recovery's fragile and imbalanced nature. When the war ended in 2005-2010, the ex-combatant population, notably men aged 36 to 45, who should be at their peak earning power, lagged behind their non-combatant peers regarding average income and household assets. Although younger former combatants generally earn more than their civilian counterparts do, much of this gap in earnings can be explained by the fact that very few have returned to school.

Their relative lack of education will limit their earning power as they grow old, thus limiting their ability to participate fully in the region's economic recovery. Most former combatants are employed in the agriculture sector. This limitation is a matter of concern, for, as is true throughout Indonesia, poverty in Aceh is significantly and positively related to living in a rural area and to reliance on agriculture as the main occupation of the household. Furthermore, continued growth in agriculture in Aceh will require increased productivity, which typically involves introducing improved technology and leads to less demand for farm labor. (Kurniawan, 2021).

The mandate from Helsinki MoU in economic support implemented by GOI has shared more than 5 million USD for Aceh, with the majority for infrastructure in the last 15 years. However, the economic aspect has not been optimally allocated support for suitable farming land, employment, and social security for the reintegration into society of the former combatants and compensation for political prisoners and affected civilians as mandated in article 3.2.5 Helsinki MoU.

Allocating suitable farming land for all former combatants is crucial to accelerate economic development. On February 13, 2020, the ex-leader of

GAM and leader of Wali Nanggroe Aceh, Malik Mahmud, discussed demand with President Joko Widodo in the Presidential Office. He said the MoU had yet to be fully implemented to provide farmland and symbol issues (Mahmud, 2020). One week later, on February 22, President came to Aceh and discussed with the Aceh Governor to realize the unfinished Helsinki MoU.

LoGA already regulates special authority Aceh. However, some of the Helsinki MoU's special authority-related points have not been addressed. The first is the policy in finance and monetary. Aceh has the right to raise funds with external loans and fixed interest rates beyond that set by the Central Bank of the Republic of Indonesia in article 1.3.1 Helsinki MoU. The monetary system in Aceh follows the Central Bank in Jakarta. Until 2020, some local government plans still need acceptance from the GOI. For instance, in 2016, the Ministry of Finance (MoF) approved a plan to provide 106.8 million US dollars in foreign loans to German banks at interest rates ranging from 2.5% to 3.5%. The GOI rejected this proposal because SAF was enough for this project. In addition, SAF was not allowed to pay foreign debt. However, financial assistance is crucial for Aceh's reconstruction following the conflict and disaster.

The local government is always late in submitting requests for SAF to the GOI, so programs distributed to society are always late. As a result, on average, 15% of the total funds were not absorbed in the same fiscal year. As a result, the GOI is considering reducing government reviews and audits from three to two per year, as opposed to three per year last year (Dadek, 2021).

Provincial and district administrators have often submitted their budgets late to the Ministry of Finance. District budgets are routinely submitted five to eight months after the ministry deadline. As a result, local governments can only spend on everyday items, such as salaries and administration, and are not allowed to implement projects and programs budgeted for approval by the Ministry of Finance. As infrastructure projects such as the construction of roads, bridges, schools, and health facilities require thorough procurement processes, such time constraints are often detrimental to project quality.

An example is the government program in the plantation sector. The seeds do not fit in with soil conditions compared to the number, and poor quality

makes for a low harvest. In addition, support systems such as road construction only focus on the downtown area and the area around officials, whereas access to plantations provides yield efficiency (Munawir, 2021).

Compared with North Sumatra, Aceh's nearest province, Aceh has a larger government budget allocation than North Sumatra. Even so, North Sumatra is the most significant contributor to Sumatra Island's Gross Regional Domestic Product (GRDP) at 23.35%, while Aceh is one of the provinces with the lowest contribution to the GRDP of Sumatra, which only reaches 4.99%. The agriculture, forestry, and fisheries sectors are the main sectors of North Sumatra's GRDP, amounting to 60.37%. The private sector contributed most of GDRP North Sumatra, while Aceh still depended on the government budget (Dadek, 2021).

Today Aceh's poverty rate is similar to 20 years ago. For only five years, conflict and tsunamis have increased the significant poverty rate to 100%. After Helsinki MoU, Aceh's poverty rate slowly decreased until it rose again in 2020 because of COVID-19. International and GOI support from a special autonomy fund is helping Aceh to restore the situation. (Dadek, 2021).
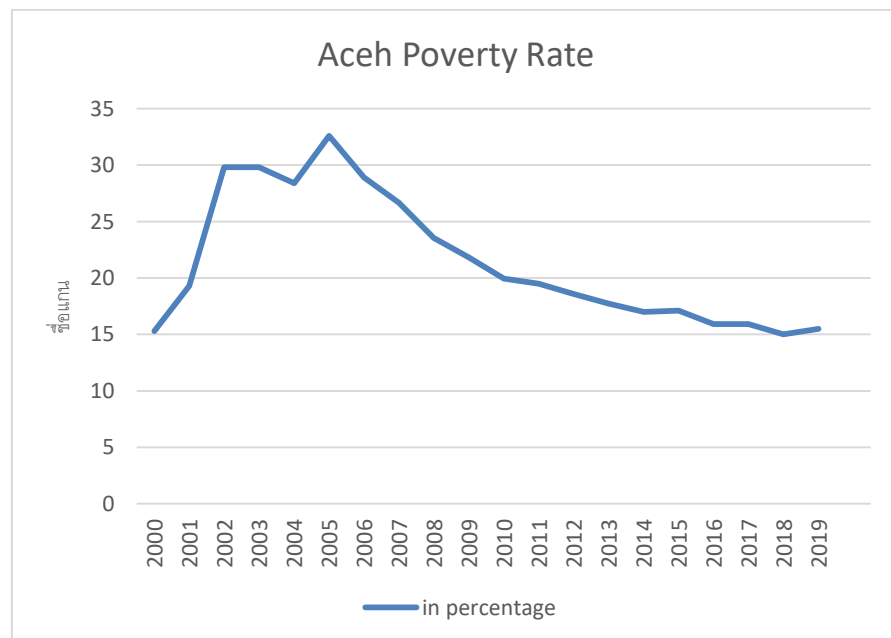


Figure 4.5 Aceh Poverty Rate

Source: Centre of Statistic Institution Aceh, 2021

On the other side, the progress of Aceh in the last fifteen years is still below the National rate.

Based on information on the unemployment rate, economic growth, and poverty rate over the last five years, the table below demonstrates that three components of human resource development and welfare are lower locally than nationally.
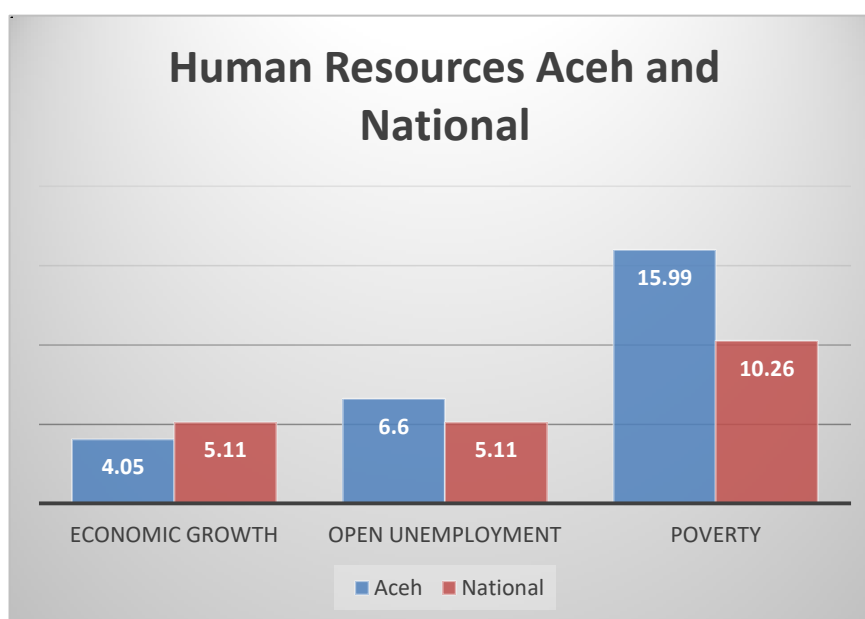


Figure 4.6 Comparison of Aceh and National Human Resources

Source: Centre of Statistic Institution Aceh, 2021

Up to 37% of Aceh, primarily rural and poor, work in agriculture. Based on the type of employment, the absorption of labor in the agricultural sector is the highest compared to workers in other sectors. As a result, the agricultural sector absorbed most of the labor in 2016, which was 735,063 people, or 35.22 % of the total labor in Aceh Province (BPS, 2017).

However, labor productivity in the agricultural sector is still low due to limited capital and resources. Therefore, accelerated economic development is necessary for the entire Aceh province by fostering areas that have relatively high poverty populations. Economic growth with equity distribution will stimulate regions

to pursue retardation to minimize the gap between the poor and rich people, and, finally, the poverty rate can be eliminated (Jamal, 2019).

Local government must optimize the potential of human resource capabilities, especially education and management, and provide capital and production facilities for commodity marketing. In addition, it is necessary to develop other sectors that support the agro-industry sector in Aceh to increase the added value of agricultural products and absorb a broader workforce.
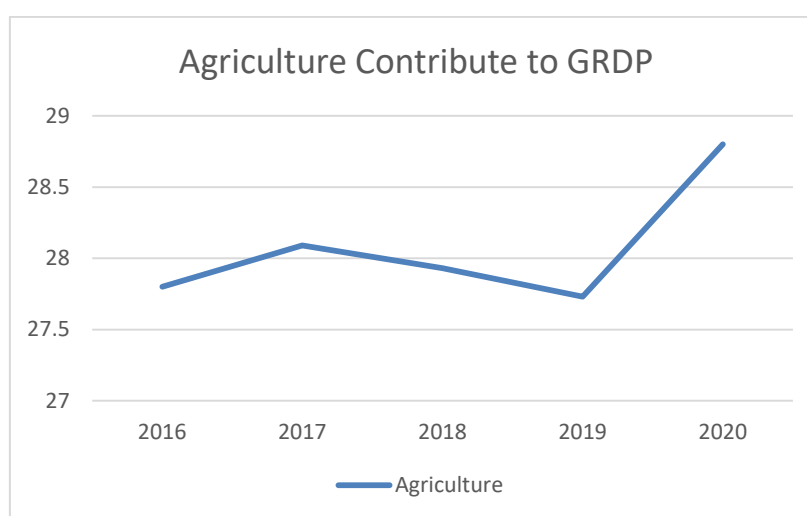


Figure 4.7 GRDP Aceh Contribute Agriculture

Source: Centre of Statistic Institution Aceh, 2021

The graphic shown indicates that agriculture is dominant in Aceh's economy. This sector will be the primary source because financial support from the GOI will end in 2027. In the last 15 years, Aceh depended on GOI support for over half of its budget. Therefore, regional road maps to connect and support this sector are very important for the sustainability of Aceh (Dauly, 2021).

The Management of Aceh budget allocation was highlighted by the National Auditor Board as an examination of the Local Government Financial Report (LKPD) Aceh in 2008-2018 related to the Special Autonomy Fund for Aceh. There were ten findings and 41 recommendations worth 32.38 billion IDR. Ten recommendations have been followed up, and 15 recommendations of 132.15 million

IDR in the settlement. Meanwhile, there are still 16 recommendations worth 32.25 billion IDR that still have not been followed up by the Aceh government.

The BPK LKPD examination in 2017 revealed that the management of the remaining Special Economic Fund for Aceh Province by the Aceh Governor Regulation Number 79 of the Year 2013 was inappropriate and that the absorption of the Special Economic Fund for Aceh Province in 2017 was not optimal. Then in 2018, Dana Aceh's Special Autonomy findings at the BPK RI examination for 2018 related to overpayment on 31 work packages in eight SKPAs amounting to IDR 3,399,256,227.87.

The local government is unable to manage and utilize these resources adequately. Then, the Aceh government's centralized SAF administration implies that it is not operating successfully and that the transparent finance process is not carried out following good governance standards, indicating poor SAF management in Aceh. New manufacturing, trade, and service investments are needed to diversify the Aceh economy. However, the local government's abstinence on concerns about security and political uncertainty, combined with the province's high-cost economy and poor infrastructure, have kept investors away from Aceh until now.

According to the big picture and master plan of investment in local government, infrastructure is needed to strengthen Aceh's appeal to investors and promote the growth of production connections between farmers and processors, increase trade flows and trading efficiency, and improve non-agricultural job prospects. Aceh's government may support such development and investment with significant SAF funding and improved fiscal resources. However, there are questions regarding the provincial and district government's ability to efficiently manage their rapidly growing budgets, with an intense concentration on civil servants and infrastructure.

## 4.3 Summary Key Findings

After 15 years of peacetime, we can see the process of the dynamics of determine among the central government, local government, and the Aceh community. Self-determination started from the central government to Aceh

through the provisions in the MoU and LoGA. In politics, Aceh has established local political parties on social and human rights, reduction of violence, acknowledgment of Acehnese identity, and more vigorous law enforcement. At the same time, Aceh TCR is considered institutionally weak and slow to address transitional justice in post-conflict. In the financial settlement, there is an attempt at institutionalizing the reintegration agency (BRA) in utilizing the special autonomy fund. In the future, the autonomy of Aceh must focus on industrialization, quality of governance, and dependence on special autonomy funds for Aceh's development.

# CHAPTER 5
# CONCLUSION AND RECOMMENDATIONS

## 5.1  Aceh Peacebuilding after 15 years

The new Aceh has grown after 30 years of conflict with the Indonesian army. More than 5.3 billion Acehnese people can now engage in productive activities, with residents returning to the fields and gardens they were forced to abandon during the conflict. People can move freely and enjoy access to markets, towns, and services denied for generations. Aceh peacebuilding is intriguing, given its durability and the primary stakeholder commitment from the national government. Aceh represents a unique case, planned, and supervised by a national government and executed through the collaboration between national and local governments where the peace settlement was mediated by an international third party, assisted by a short-term peacekeeping mission (Aceh Monitoring Mission) and implemented to fit in with the GOI.

This study elaborates and categorizes peace settlement into the three aspects of peacebuilding (social, political, and economic) and peacebuilding methods that encourage participation and building robust institutions. In the Helsinki implementation, a number of primary aspirations of the people have been accommodated. Three levels of leadership collaborated to contribute to Aceh's peacebuilding. The first tier is the GOI as a leading actor. They allowed the Aceh special autonomy and supported SAF's economic goals that greatly reduced the infractions of justice and human rights. During the peaceful transition, the second level, comprised of intermediary actors, continuously monitored the peace agreement in Aceh and helped establish local agencies. Finally, leadership from the local agencies carried out the implementation and recovery process throughout Aceh.

The peace itself has been the most significant benefit for those who live in Aceh due to the peace deal. People can restart economic activities that had been essentially impossible throughout the conflict years and enjoy mobility and assembly freedom for the first time in decades. However, Peacebuilding in Aceh is

not achieved with simple processes and effort. After peacebuilding, obstacles will be faced for peace in the future.

The government must solve the unfinished MoU of Helsinki and potential social, political, and economic conflicts. For example, the Aceh symbol, reconciliation of conflict victims, and allocating support for suitable farming land, employment, and social security are still unfinished agendas from Helsinki MoU. In addition, poverty is still in problem in the middle of a corruption case in the Aceh government.

The GOI must provide better training and supervision for the development and practices of good governance in Aceh. Acehnese people must also remind its leaders to work under the vision of special autonomy and ensure peacebuilding in Aceh. Voter participation in recent elections indicates widespread acceptance of Sharia as a set of principles that regulate Aceh regarding social, moral, religious, and legal guidance of Aceh's place within the Republic of Indonesia. Political stability and trust from the GOI manifested by development in the socio-politics institutions with LoGA in 2006 and economic support with a special autonomy fund from 2008 until 2028. The local governments, which the Acehnese people elect, have seven local priority issues for allocating a special autonomy fund to rebuild Aceh for 20 years.

Multisector growth of the local economy will be necessary to build a sense of sustainable peace. An improved security situation and new infrastructure should make Aceh more attractive to national and foreign investors and accelerate domestic capital formation in the provinces. The Helsinki MoU and LoGA include measures to inject significant funds into the provincial and local governments and provide targeted reintegration assistance for former combatants, political prisoners, and conflict victims. After Helsinki MoU, Numerous donor-supported programs in Aceh have focused on the capacity development of provincial and district government agencies to use Aceh's windfall effectively. A master plan for sustainable revenue without SAF and massive donors is urgent for future Aceh. The master plan must design and improve the location formula, set selection criteria for projects and programs, evaluate projects and programs funded through this mechanism, and

provide technical assistance for district and municipal governments to prepare proposals and ensure Aceh has sustainable peace in the future.

Peacebuilding Aceh, separated by the transition and normalization process in the last 15 years. However, main aspects are already implemented, such as political participation, reduction of violence, acknowledgment of inclusive identity, and more vigorous law enforcement and economic support. In the transition process, some flexibility in regulations or ad-hoc institutions will be established as society demands.

During the normalization phase, more vital institutions and policies for peace were consolidated to ensure peacebuilding in the future. The development process from the transition to the normalization phase of peacebuilding in Aceh provides us with several features: human rights and justice institutions, democratic election, the shift of legitimacy from local government to the GOI in the management of peace, stronger links with national politics, and economic management by local government. Peacebuilding in Aceh during the transition and normalization phases is presented in the table below.

Table 5.1 Aceh Peacebuilding in Transition and Normalization

| No | Sector | Transition (2005 – 2010) | Normalization (2010 – 2020) | Future |
|---|---|---|---|---|
| 1 | Social and Human Rights | ● Reduce violence significantly<br>● Withdraw of the army by GOI and disarmament by GAM<br>● Participation from civil society organizations | ● Stronger indigenous and Sharia institutions<br>● Absence of violence related to interstate conflict<br>● The establishment of local TCR<br>● Participation from Civil society to support TCR | ● Sustainable of Aceh Institution<br>● Settlement of Human Rights victim<br>● Trust and support between GOI and Aceh |

Table 5.1 Aceh Peacebuilding in Transition and Normalization (continued)

| No | Sector | Transition (2005 – 2010) | Normalization (2010 – 2020) | Future |
|---|---|---|---|---|
| 2 | Politics and Governance | ● LoGA as fundamental Special Autonomy <br> ● Local election with independent and local Parties | ● The establishment of alternative local Parties <br> ● Stronger special autonomy institutions in the National system | ● Good governance and strategic vision from Aceh's leader <br> ● Fulfillment of MoU Helsinki |
| 3 | Economic | ● Reconstruction project economy after conflict and tsunami <br> ● Reintegration fund | ● Greater involvement of the GOI in the monitoring and budget allocation of SAF | ● Economic support from Central Government <br> ● A strategic policy for Industrialization and Infrastructure in Aceh |

## 5.2 Potential Conflicts in Aceh After Peacebuilding

The MoU of Helsinki today is at a crossroads. It is because there is not sufficient capacity in some areas from the local government to gather the Acehnese people's aspirations for sustainable peace in the future. Peacebuilding has been proliferating as an international practice to help post-conflict countries to avoid a relapse.

Peace needs to be people-based. It cannot just be money or government based. In the program to aid conflict survivors, the people decide who gets aid based on clear criteria and priorities for certain groups, such as widows and orphans. They heard about the peace and that the fighting had stopped. That was great, but there was no other tangible difference between truth and reconciliation not managed well until now for Aceh conflict victims.

They need to establish justice through a Human Rights Court to be psychosocial and economic recovery to heal victims of the conflict. The excess conflict they experienced would never be comparable to what the government had given. The government paid much attention to the victims, but their rights had never been maximally fulfilled. As a result, conflicts might re-emerge in Aceh, mainly if communities are divided by uneven aid-giving and do not get any justice (Khairani, 2021).

Although TCR is already in place, human rights potential conflict is still limited to transitional justice. Some limited factors, such as authority, budget allocation, and human resources, make the action of TCR slow. In addition, TCR also stated that the people of Aceh to forgive and forget rather than continue digging into past traumatic events. However, given the Aceh conflict's nature and cultural traditions, court cases resolving and investigating are still far off.

The GAM movements have already changed from combatants to political movements and always have some candidates in the Aceh election. The elite's competition over political positions, privileges, facilities, business activities, and contracts with major state-owned enterprises had been a major source of factionalism and antagonism. Former elite GAMs with self-interests in the post-conflict environment have privileged connections and become manifest in the post-conflict environment.

The GOI has run elections without intervention, giving independent candidates a chance.  However, the opportunity to contribute is still under the shadow of GAM, which has become a political power in society. In addition, internal competition within GAM has caused former GAM officials not to be promoted by local candidates and nominate themselves as independent candidates. Therefore, the candidates without former GAM backgrounds still have a barrier in Aceh's political competition (Dauly, 2021).

They greatly benefited from their positions in the movement's hierarchical Aceh structure. Another element of the Acehnese people is hard to scale up their access in Aceh. The former leader GAM as part of the Acehnese people, must work together with multiple elements in Aceh. The Aceh political system only could maximize the economic interests of the government itself and its elite loyalist group.

They formulate laws and regulations, but these regulations are not for the needs of the welfare of the public at large but rather to maximize their profits. The situation makes the Acehnese people feel disappointed with the current government of Aceh.

The main goal of the Helsinki MoU is to create a sustainable economy, which is difficult to achieve if Aceh is not appropriately managed. This situation may affect peace in Aceh because the people are starting to get frustrated with the Aceh government. Moreover, in the new Aceh, potential conflicts are emerging because of the inequalities in the aid distribution between conflict victims and former GAM combatants.

Sub-national would have occurred due to an Aceh symbol already recognized as legitimate by the Helsinki MoU, LoGA, and Qanun. However, the GOI police have always treated this symbol in an agitated manner with the justification that it threatens Indonesia's sovereignty and national integration. Furthermore, in addition to the battle flag, Aceh's emblem dates back to its time as a sultanate 1,000 years ago. As a result, the Acehnese people's values restricted the use of the Aceh flag.

Economic inequality and limited political access are among the primary grievances experienced by the Acehnese people. The Acehnese people have experienced economic grievances since the colonial era of the exploitation of their oil by Dutch companies and shifting to the Indonesian GOI. In a thousand years, Aceh's profit, development, and benefit have only been minor, making Aceh one of the poorest provinces in Indonesia.

However, the management skills of leaders and bureaucrats need to be improved. Moreover, institutions must comprehend special autonomy in order to function well. So far, the government has only finished its program, divided projects among politicians, and has not implemented an expansive vision of the Acehnese people to convert Aceh's natural resources for a sustainable economy. As special autonomy, the Aceh government must solve its governance and some problems, such as corruption and poverty in Aceh.

The local Parties and former GAM political leaders in Aceh have a critical issue of policy budget allocation SAF, and in general, Aceh province is the end of SAF budget allocation in 2027. Only the infrastructure sector and the budget

for personnel are prioritized in the Aceh government's budget. However, other areas are equally crucial to Aceh's development. Moreover, SAF will be terminated in 2027. The Aceh government still relies on the SAF for over half its resources. Therefore, the Aceh government has to consider its strategic plans for allocating the SAF budget to sustainable Aceh (Kurniawan, 2021). Poverty in Aceh is a big problem in Aceh. After 15 years of conflict, the poverty rate in Aceh only restores the pre-conflict situation. The Aceh poverty rate is still above the nearest area of Aceh and even the average province in Indonesia. So far, most Acehnese people still come from traditional plantations and agriculture. There is no strategic development for industry, investment, and trade, which makes Aceh uninterested in the private sector. Aceh's government must shift its focus to the infrastructure sector for budget allocation and reducing poverty in Aceh to ensure peace.

## 5.3 Summary of Key Findings

The key to Aceh's peacebuilding is solid cooperation between the locals and GOIs and backing from civil society to maintain many programs doing well. Self-determination with participation and institution-building legitimacy are essential to peacebuilding in Aceh.

We can expect increased political participation, reduced violence, equal distribution of welfare, recognition of inclusive identity, and better law enforcement during the normalization phase of peacebuilding. As society expects more stability, we might expect less acceptance of flexibility in legislation or ad hoc organizations. As a result, peace is developed and consolidated among all segments of society during the normalization phase.

The peacebuilding phase revolves around strengthening political institutions, consolidating internal and external security, and revitalizing the economy and security. Special autonomy is fundamental for political institutions in Aceh. Human resource development focusing on good governance is the key to making Aceh's institutions special. So far, peacebuilding has primarily benefited Aceh elites, which is critical for long-term sustainability but has not yet manifested as an inclusive opportunity for all Acehnese people. GAM and Ulama, as critical components of the

Acehnese people, must be open to maximizing the potential of each Aceh person to build Aceh with equality for the people of Aceh. In addition, the local government needs to have a long-term vision for its future development. As a result, the GOI must continue to support and hone the capacities of the Aceh government with capacity, capital, and technology.

The government must provide a better environment for informal jobs such as dealers and farmers, as the majority of Acehnese people. Opening ports and appropriate transportation outside of Aceh are two ways to improve people's well-being. Furthermore, the GOI must implement the provision of land for GAM as soon as possible. At this moment, Aceh and Indonesia's governments should focus on long-term economic development. The focus of budget allocations should be on human development rather than building or construction of the infrastructure. Special autonomy will be meaningless without exceptional socio-economic development, with the critical element being the Acehnese people.

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### 6.3 List of Question

Category: Local Government

Concept: Strategic Policy for Special Autonomy and Peacebuilding

Indicators:

1. Strategic policies of local government to the implementation of Helsinki MoU.

2. Governance of Aceh in Special Autonomy.

3. Sustainable programs in peace and the development of Aceh.

Question:

1. How did the Aceh government implement the Helsinki MoU?

2. What is the difference between Aceh's local government and another province in Indonesia with Special Autonomy?

3. Is the Aceh government and Islamic and Custom Law Authority (Majelis Wali Nanggroe, Mahkamah Syari'yah, Qanun) linked to the development of the Acehnese people?

4. How to optimize the Special autonomy fund for Aceh's development?

Category: Government of Indonesia

Concept: Peacebuilding and Development of Aceh

Indicator:

1. Helsinki MoU implementation process in central policies.

2. The supervised and long-term vision for Aceh peacebuilding.

3. Socio, economic, and political support for Aceh

4. Unfinished Helsinki MoU

Question

1. How will the GOI handle the dynamics process and focus treatment following the Helsinki MoU?

2. What was the implemented and follow-up action after the Helsinki MoU in Aceh?

3. How is the strategic treatment to maintain peacebuilding in Aceh?

4. Does special autonomy already fit in with Aceh?

5. How to make sure Aceh has sustainable peace in the future?

Category: Researcher

Concept: Report and academic studies of Aceh

Indicator:

1. Any objectives report and academic studies to capture Aceh's situation.

2. Critics of the implemented Memorandum of Understanding between Helsinki and the Aceh government.

3. Opinion in their field to peacebuilding and development of Aceh.

Question:

1. How is the peace situation in Aceh peace situation after the Helsinki MoU?

2. Is there any violence occurred after the Helsinki MoU?

3. How does governance work in Aceh with special autonomy?

4. Why was Aceh the lowest economic growth province in Sumatra in 2020?

5. How strategic development Aceh in the future?

Category: Acehnese people

Concept: Development of Economic and Peacebuilding

Indicator:

1. Peace and security in Aceh after the Helsinki MoU.

2. Aceh government to society economic space and development.

3. Acehnese people's social and political participation in the Helsinki MoU.

Question:

1. How do you feel in Aceh before and after the Helsinki MoU?

2. Is there any violence from the government or GAM after the Helsinki MoU?

3. Do you know any strategic Aceh government in economic policies to society?

4. How does Aceh's government maintain the aspiration of society?

5. How about political participation in Aceh after the Helsinki MoU?

**6.4 List of documentation**

6.4.1 Visiting Baiturahman Grand Mosque with Islamic event



6.4.2 Visiting Wali Nanggroe Body Representative (Custom Law Representative Body)

### 6.4.3 Useless boat from SAF Aceh Governor



### 6.4.4 Visiting Truth and Reconciliation Commission

### 6.4.5   Budget allocation report of Charity Body of Banda Aceh



### 6.4.6   Common situation of Acehnese people (coffee shop)

6.4.7 Interview Session Adi Laweung and Dr. Habibie (Aceh Parties Group of Leader)



6.4.8 Aceh Parties Ceremony to register local election 2024

6.4.9   Visiting Aceh Governor's Office



6.4.10   Visiting Custom Law Body

6.4.11  Visiting Charity body of Aceh



6.4.12  Visiting the Parliament of Aceh (one flag stand dedicated to the GAM flag is still empty)
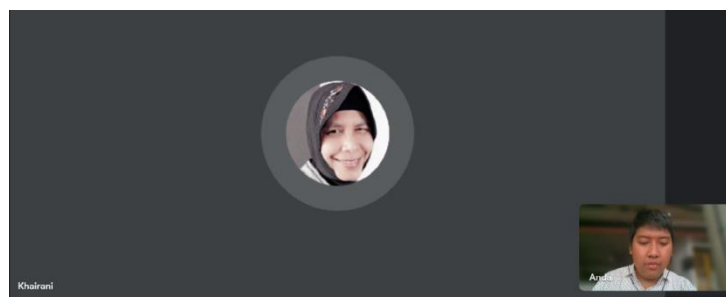
6.4.13  Visiting Aceh Development Body



6.4.14  interview with Abu Nasser, former Commissioner KIP Aceh



6.4.15  Interview  with  Khairani  S.H. M.H. Transitional  Justice
Activist

6.4.16  Interview with Munawar Liza, former Spokesperson GAM in Helsinki MoU

# VITAE

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