Everything or Nothing:
Martti Ahtisaari and the Aceh Negotiations (B) v4.3

Notes: (1) This "B" case is designed to be read or summarized after discussion of the "A" case.

(2) Throughout the text, a series of italicized and bolded questions are suggested to guide the panel discussion on Aceh with Martti Ahtisaari during the Great Negotiator events of September 27, 2010. We urge readers to suggest variations and develop further questions to pose to Ahtisaari.

(3) To help readers stay oriented, Exhibit 1 contains a glossary of parties and abbreviations.

In August 2005, before dozens of onlookers, cameramen, and reporters, three men signed their names to a document in Helsinki, Finland, effectively putting thirty years of violence to rest half-a-world away. Eight months of intense negotiations had ended with an accord between the Government of Indonesia and the Free Aceh Movement (GAM) that few had believed possible. The Memorandum of Understanding signed that day, also known as “The Helsinki Agreement” (Exhibit ___), recognized a new status for Aceh, the northernmost province in Indonesia. At the bottom of the last page, signed as witness to the historic occasion, was the name Martti Ahtisaari, the critical mediator on the arduous road to peace.

EARLY PROCESS CHOICES

In the days before the first round of talks, Ahtisaari met with both negotiating teams and emphasized that he would not waste his time and energy on an unstructured and open-ended approach to negotiations. He conveyed the strong impression that he was extremely busy, had no time to waste on pointless exercises, and that his personal involvement was, effectively, a favor. Moreover, he reiterated that he would not tolerate “antics”, especially self-serving press leaks by the parties, that could impede or derail a potential agreement. He discussed the nature of the talks with both parties, emphasizing the potential for broad redefinition of special autonomy status, but, to GAM, strongly discouraging independence as a potential outcome for negotiations. Ahtisaari did not absolutely rule out GAM’s long-term goal of independence, but he explained that, if the two parties had any hope of agreement, the premise of the negotiations would have to be more modest.

As a means of reconciling incompatible positions on the basis for the talks—GAM’s demand for a ceasefire first, then negotiated independence versus the government’s position against a ceasefire except as part of a comprehensive deal that could not possibly include Acehnese independence—Ahtisaari strongly urged that the parties accept a key procedural condition. Unlike both sets of earlier talks brokered by the Center for Humanitarian Dialog (CHD), which had focused on negotiating a confidence-building ceasefire to be followed by more substantive talks, Ahtisaari argued for a different approach: “nothing is settled unless everything is settled.”

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1 Copyright © 2010 by James K. Sebenius. Professor James Sebenius and Research Associate Alex Green prepared this draft case. This draft strives to be accurate, but relies on secondary sources, takes minor dramatic license, currently lacks full citations, and should be significantly modified based on what is learned during the Great Negotiator Award events honoring Martti Ahtisaari on September 27, 2010.
If accepted by the parties, this procedural constraint had at least two far-reaching implications for the talks. First, it meant that an ultimate agreement would have to be comprehensive, dealing with all major issues. Second, it meant that any “concessions” along the way by either side could not be easily trumpeted by the other during the process—since no concessions were final until and unless the overall accord was final.

Queries for Ahtisaari: Is this description accurate? Can you elaborate the reasons for these process choices? What would you have done if the parties had resisted these conditions? What other process choices did you consider and why?

THE NEGOTIATIONS COMMENCE

In late January, in a stately, isolated mansion on an estate owned by the Finnish government, the two sides met for the first time, seated alongside Martti Ahtisaari and Juha Christensen, just meters away from each other. They observed a moment of silence in honor of the victims of the tsunami. GAM representatives then spoke of the tsunami and of the injustices they felt had been inflicted upon the people of Aceh. Indonesian officials listened but said little. Only after a break did Ahtisaari turn the discussion toward the future.

That afternoon, both teams convened to discuss the host of issues they confronted. They discussed independence, special autonomy, and the key elements required to draw down such a heavily militarized conflict. The political status of Aceh needed to be defined, natural resource ownership allocated, disarmament specified, a plan for the withdrawal of TNI troops clarified, and both sides knew they would have to face the difficult issue of whether to allow internationally monitored disarmament, and, if so, its terms. And somehow, the ghastly human rights past—and present—that loomed over the talks would have to be addressed. As the day came to a close, both parties had begun the process, and Ahtisaari’s goal for the first round of negotiations was achieved—they agreed to meet again.

The Indonesian government’s representatives adjourned to their quarters while the GAM negotiators met at the house of Juha Christensen over a home-cooked meal flavored by distinctive Acehnese spices. Though generally encouraged by the first day, GAM officials were especially focused on getting the Indonesian government to agree to a cease-fire, which was steadfastly refused.

Queries for Ahtisaari: Is this description accurate? After the initial negotiations, what appeared to be the main barriers that had to be overcome to push the process forward constructively? How did you and your team plan to address these barriers?

At the outset of the second set of negotiations, tensions and distrust boiled over. GAM officials accused the Indonesian team of allowing the TNI to inflict continued human rights abuses in Aceh. Indonesian officials expressed suspicions regarding the sudden presence of Australian GAM adviser Damien Kingsbury, an academic from Deakin University’s Melbourne campus. In a small but significant way, Kingsbury appeared to violate their strictures against internationalizing the conflict.
Ahtisaari encouraged both parties to set aside their differences and to attempt to work on principles and practical details of an agreement. With the launch of negotiations, he had begun to utilize his broad contacts across Finland and Europe, exploring the nature of international enforcement of a potential agreement. He believed that organizations like his own Crisis Management Initiative could not be asked to oversee the administrative details of disarmament or perform an actual monitoring function. After calming the two teams, he introduced Finnish military expert Jaakko Oksanen, whose services he requested to discuss the details of any possible disarmament and monitoring.

INDEPENDENCE

The Indonesian representatives were displeased by the introduction of Oksanen. Accelerating the pace, Ahtisaari pushed the teams to move beyond simple disarmament to address resource distribution, the withdrawal of the TNI, and human rights, allowing both sides to outline their concerns. But when the issue of special autonomy came to the fore, GAM officials objected forcefully. In a stunning moment, the entire process came to a halt as GAM negotiator Malik Mahmoud rose and made a series of demands.

Addressing the Indonesian team, Mahmoud stated that GAM would settle for no less than the full withdrawal of the Indonesian government from Aceh, a complete takeover of the territory by international police, a declaration of Aceh as a demilitarized zone, the release of all captive Acehnese negotiators, and an end to “special autonomy.” The Special Autonomy Law, he stated, was an impediment to continued negotiations.

Queries for Ahtisaari: If this is an accurate description, how did you react and/or respond to Mahmoud’s forceful statement? Why? Elsewhere, it is reported that you were convinced that independence for Aceh was a complete non-starter. If so, how did you address this issue with the Acehnese team, directly or indirectly? We also read reports that a number of governments sought to persuade GAM to drop its independence demands. More generally, how appropriate, and important, is it for a mediator to assert his or her strongly held views as to what is ultimately possible and impossible in a negotiation?

Visibly upset, Ahtisaari immediately ended talks for the day and dispersed the participants. Away from the negotiating table, he conferred with Christensen. He argued that the words “special autonomy” meant less than the understood essence of the prospective agreement, but Christensen surprised GAM negotiators by disagreeing with Ahtisaari, his former president, in front of them. Such “insubordination” was culturally inexplicable to Indonesian eyes as was the explicit conflict between the two. Words carried great meaning for GAM, Christensen told Ahtisaari. After over a century of special status under outside rule, GAM had wearied of the "false promises" associated with such designations. For the rest of the afternoon, Christensen, Ahtisaari, and the GAM officials discussed a new designation and as the day came to a close, it was agreed that both sides would set aside “special autonomy” and seek to define a comprehensive accord on a presumably stronger principle of “self-governance.”

This was a seismic move. Acceptance of “self-governance” required that GAM negotiators be able to quell opposition and fear from members who immediately claimed that this move had irretrievably relinquished the possibility of independence. GAM leaders knew that they had potentially abandoned an ideal that had unified and animated supporters and fighters for decades.
Ahtisaari believed that mediators must ascertain the critical long-term elements essential to securing peace at the outset of negotiations, and seek adherence to those objectives throughout the process. To do so he had urged GAM to abandon independence as a precondition to participating in negotiations. He allowed that they could consider independence at a later date, but urged that first they must agree on a democratic, participatory role for Aceh within greater Indonesia.

This stance had unquestionably been the most difficult element of negotiations for all three parties at the talks. GAM risked losing its core constituencies if it appeared to be vacillating on the issue of independence. Yet GAM risked losing Ahtisaari’s participation in the negotiations, as well as international support, if it seemed unwilling to consider a role within the Indonesian state. Ahtisaari risked appearing as though he was favorably predisposed toward the Indonesian government, and, should the talks fail, having potentially caused an imbalance that collapsed the peace process. The Indonesian Government, especially with reports of its continued post-tsunami military assaults, risked international condemnation for failing to commit to creating a fair, democratic environment in which Acehnese participation within the Indonesian polity could occur. Yet the government simultaneously faced attack from conservative elements within the TNI and government who believed any official receptiveness to a peace accord could lead to a cascading series of secessions across the country.19

Queries for Ahtisaari: Why do you think that GAM abandoned its demands for independence? If you judge that one party's positions—in this case, GAM's demands for a ceasefire first and for independence—are infeasible or counterproductive, how can you handle this situation without appearing to be biased or otherwise losing your effectiveness? How did you see your options on these issues in these talks?

Reconvening after this major move, Ahtisaari spared no time, attempting to utilizing the momentum of the concession to pressure both sides to rapidly fill in the operational meaning of the words self-governance, developing specific proposals that could lead toward an agreement. He asked that the Indonesian government prepare a full exploration for the third round that outlined their vision for self-governance, elections, and the presence and role of the TNI in Aceh. He asked GAM to do the same and to discuss options for the deployment of monitors from the European Union (EU) and the Association of Southeast Asian Nations (ASEAN) to oversee the disarmament of GAM fighters.

HUMAN RIGHTS

As the day came to a close, the issue of human rights was broached with the intent of discussing prosecution of offenders as well as truth and reconciliation between the parties. Once again, the atmosphere electrified. With a military that still believed that negotiations should result in the surrender of GAM with, at best, an amnesty for the GAM fighters, the Indonesian team was reluctant to admit any specific culpability for abuses outside of what they stated were the general vicissitudes of war.20 They emphasized that it was not in the interests of negotiations to dig deeply into the past, but they were met with a withering response from GAM minister Nurdin Abdul Rahman. Viscerally shaken and deeply emotional, Rahman told of being tortured by the TNI and forced to confess membership in GAM even though he had not been a GAM member at the time of his arrest. His skin had been burned, his nails pulled from his fingers. He was electrocuted and sliced open before signing his false confession and being imprisoned for twelve...
years. One of his colleagues, Nur Djuli, jumped in to support Rahman, asking how negotiations could proceed when one’s parents had been tortured.

Queries for Ahtisaari: How did you see your choices at a moment of high tension and emotion like this? How did you respond, and why? In retrospect, would you do anything differently at a moment like this? What is your advice for third parties? More generally, how should vital issues of human rights be handled in negotiations of this kind?

Ahtisaari intervened, telling both sides that the discussion of human rights should not impede negotiations. Rahman pleaded that the issue needed resolution before the sides could continue, but Ahtisaari responded, “Look at South Africa. I have never met a person other than Nelson Mandela who had not a trace of bitterness.” Ahtisaari later said, “It is important to understand that we cannot take care of all the world’s evils nor can we wash all the laundry at one time,” but it was not a statement devoid of self-reflection or sympathy. Along with 400,000 other displaced refugees as a result of Stalin’s vicious World War II attacks on his then-Finnish hometown of Viipuri, Ahtisaari’s view of negotiations was informed from an aggressively sympathetic standpoint. He went on to say, “When I look at the world’s conflicts I often feel that we are not single-minded enough in seeking a solution. If a mediator doesn’t know what he is aiming for, you can’t get anywhere. Many processes are such [that] nothing actually happens.”

INTERNATIONAL MONITORING

As this round of negotiations ended, Ahtisaari contacted his former colleague Javier Solana, the High Representative for the Common Foreign and Security Policy of the EU, and discuss a potential EU monitoring mission to Aceh.

Queries for Ahtisaari: what did you see as the main barriers to getting EU support and contributions to a monitoring mission? How did you address these barriers?

The issue of monitors was fraught, especially for the Indonesian Government, which, given their interaction with the United Nations in East Timor, was steadfastly opposed to “internationalizing” the conflict. Aceh, they insisted, was strictly an “internal Indonesian affair.” No other governments could be officially involved in the talks or in any post-negotiation arrangements. While, conceivably, the Indonesian team might be persuaded to accept some form of regional monitoring via ASEAN, this would never have been acceptable to GAM. Given Indonesia’s overwhelming regional size and importance among the ASEAN countries, both economically and militarily, GAM feared that any ASEAN monitors would inevitably be vulnerable to Indonesian pressure on their governments. Hence, Ahtisaari felt that EU involvement would be a crucial counterbalance to ASEAN monitors, providing that participation by both could be negotiated.

At the close of the first round of talks, Ahtisaari had urged the Indonesian government negotiators to at least consider EU monitors by arguing that the European Union was a regional organization with governments as members, but was not, itself a “government”. Nor was the EU an “international organization” like the United Nations (UN). Ahtisaari was aware that the military and economic capabilities of the EU meant that it very closely resembled an
international organization, but believed that if the EU could be allowed in alongside an ASEAN group, then disarmament could occur under their auspices.26

He sent Oksanen to meet with Pieter Feith, the Director General for Political and Military Affairs at the European Union. Feith could potentially oversee such a mission, and had extensive experience stemming from his role as head of the NATO Balkans Task Force during the Kosovo crisis.27 Oksanen and Feith agreed that exploratory plans should be devised and that Ahtisaari should make a personal appeal to the EU for support.28 Oksanen was not operating entirely without knowledge of the Indonesian position on such efforts. Quietly, he had been conversing regularly with Indonesian General Mosca Mochin. Mochin’s guidance enabled Oksanen to frame the involvement of monitors in the most amenable fashion possible, in advance of any formal declarations to the negotiating teams.29

As talks reconvened in early March, however, the tsunami and the pall of continued military violence in Aceh still hung over the two teams. GAM leaders alleged continued abuses and did not arrive at the talks with the detailed proposals on key negotiating issues that Ahtisaari had requested; instead, they pressed for general demands such as “independence and the rule of law.” Indonesian officials had yet to produce any data regarding the past disbursement of natural resources since President Megawati’s 70% provision had passed with the Special Autonomy Law.30 Without available data, credible future provisions on resource sharing would be tough to craft.

Ahtisaari continued to push both groups to make proposals regarding the detailed functioning of an ultimate accord. He asked them to focus on beginning to outline a formal agreement. Simultaneously he reintroduced the need for international monitors, an issue that continued to cause great consternation for the Indonesian government. Oksanen delivered a report on the results of his study of the situation in Aceh. 200 unarmed monitors would be needed, he believed, to effectively oversee disarmament.31 Ahtisaari then described how he had reached out to his considerable network of contacts to reach out to Javier Solana. Though still tentative, he believed that the European Union and ASEAN could be amenable to taking on the role outlined by Oksanen.32

Both negotiating teams disagreed vehemently with Oksanen. GAM officials felt a minimum of 2,000 armed monitors were necessary while the Indonesian Government, under pressure from conservative officials and the TNI, continued to resist any international “intervention” as part of an accord. The reaction of both teams to Oksanen’s analysis concerned Ahtisaari. Each round of negotiations had been clouded by allegations of human rights abuses and as the third round came to a close, it was becoming clear that the military activities of the TNI in Aceh were impeding the progress of negotiations.33

Ahtisaari headed to Brussels and brought his request for potential monitors—if the negotiations were to conclude positively—before the EU’s Political and Security Committee.34 Eager to show a high-profile EU success, especially in Asia, officials were interested but guarded. Ahtisaari suggested that Feith and other officials be allowed access to observe the negotiations directly and assess their likely outcome.35 Ahtisaari knew that his window for success was narrow. EU monitors would have to be ready to implement a mission the day an accord was struck, but the
talks were set to end in August, and a recess by the EU during the summer could prove an impediment.\textsuperscript{36}

**TRIP TO JAKARTA**

Through early May, Ahtisaari had received a stream of seemingly reliable accounts of civilians being used as human shields by the TNI. Very detailed reports from GAM sources in the field—with names, precise times, and exact locations—described Acehnese who, during the talks, had been raped, disappeared, tortured, and executed.\textsuperscript{37} If disarmament could occur, it would require strong leadership within the Indonesian government to restrain any TNI activities of this kind. He wanted assurances that this would happen, and he wanted to see Indonesian President Sudyono and Vice-President Kalla in person to secure such assurances, as well as directly to take the measure of the Indonesian leadership.\textsuperscript{38}

*Queries for Ahtisaari: how did you see your options to respond to these ongoing reports of human rights abuses? Why did you decide to travel to Indonesia? Broader objectives? Risks? With whom and how did you plan to address these reports of abuse?*

With the self-imposed deadline for the conclusion of the talks looming, MA then boarded a plane for Indonesia, carrying with him detailed GAM reports of continued abuses being committed by the TNI in Aceh. Despite being led by more moderate figures than during the Megawati presidency, the TNI still represented a largely conservative element during the negotiations.\textsuperscript{39} As Ahtisaari made his way to Indonesia, TNI Commander General Endriartono Sutarto told reporters, “What there should be is a permanent end to the conflict with GAM giving up its weapons. Period. Finished. All that could happen if GAM really wanted to accept Special Autonomy.”\textsuperscript{40} Yet the reports Ahtisaari brought with him underscored the challenges the TNI’s attitude and activities posed that could prevent Endriartono’s statement from ever coming true.

Ahtisaari and his team met first with TNI officials, members of parliament, and ministers in a series of meetings. Moving steadily from group to group, assessing the political landscape, they presented their report on atrocities.\textsuperscript{41} On May 18, Ahtisaari met directly with the President and Vice President. He presented them with a personally rewritten account of the atrocities as proof of the allegations against the TNI.\textsuperscript{42} He urged them to remove the most notorious members of the TNI from their posts in Aceh, to cease denying GAM’s allegations of violence, and to make overtures to secure the confidence of GAM negotiators.\textsuperscript{43} Sudyono and Kalla did not contest the report and by the time the parties reconvened in Finland, the state of emergency in Aceh had been lifted.\textsuperscript{44}

*Queries for Ahtisaari: how would you judge the effects of your trip to Indonesia on the negotiations? In retrospect, would you do anything differently in this regard? If so, what and why?*

Five months into the negotiations, the parties were now joined by Feith, who took a similar tone as Ahtisaari. Conveying the limitations of time, money, and patience, he demanded that both teams express a genuine, firm commitment to allowing EU and ASEAN monitors to oversee disarmament, should the talks succeed.\textsuperscript{45} His approach bolstered support from both sides for a mission of 200 unarmed monitors.\textsuperscript{46} Feith assured Ahtisaari that should they be needed,
monitors would be prepared by August to assume the role envisioned for them in disarmament and peacekeeping.47

Queries for Ahtisaari: given the importance of an EU monitoring role, how would you assess your approach to your EU colleagues? In retrospect, would you do anything differently in this regard? If so, what and why? As a third party, when and how should you involve others in the process (e.g. your Indonesian and EU moves)?

An approach to the tricky issue of disarmament was developing rapidly, and GAM’s demands for independence had steadily given way to an increasingly well-defined concept of self-governance. Attention now turned once again to the distribution of wealth from the sale of natural resources. But during the meeting, Indonesian officials stated that all records regarding Acehnese natural resources had been lost in the tsunami. GAM officials were outraged, but Ahtisaari urged them to look forward and to place their efforts into the creation of a final draft that would ensure that the future distribution of resources was equitably enforced.48 Successes were rapidly mounting and as the round of talks came to a close, Ahtisaari’s CMI team was able to begin creating a draft agreement in enough detail to support line-by-line negotiations.49

LOCAL POLITICAL PARTIES

The deadline for talks loomed, and one issue in particular posed a major stumbling block. If Aceh were to be granted a meaningful level of self-government, it would require representation in parliament by a strong Acehnese political party to robustly represent its interests. GAM negotiators were crystal clear on this requirement. Yet, from the time of independence, Indonesia’s disparate ethnic and geographic landscape had led to the creation of a genuinely national party system that discouraged local party formation. To build a sense of national unity and to prevent fragmentation among small parties based on only a few of the 17,000 islands making up the country, Indonesian law only permitted “national” parties, each of which had to attract a threshold level of support in each major region of the country, a condition that would rule out a “local” Acehnese party. To that end, each party was required to have 1,000 supporters in each of Indonesia’s 32 provinces, and a fully functional party apparatus in at two-thirds, or 22, of the provinces.50

Initially the Indonesian government suggested that Acehnese political figures and parties integrate into existing national political parties, but GAM officials were wary. They feared the diffusion of their political impact under the proposal as well as an extraordinary financial burden in running a national political apparatus, arguing instead for purely Acehnese parties. In an effort to meet GAM’s concern without violating the "national" precepts, the government suggested that nearly-defunct shells of national political parties existed that could be assimilated by GAM leaders, if they would lend themselves to the structure and organization. It was a real effort on the government's part, but this suggestion too was anathema to GAM’s independence convictions.51

Facing continuous, stiff resistance from conservative elements in the legislature, the government insisted that allowing any purely Acehnese parties would violate the constitution. The issue of local political parties threatened to impinge on one of the two core tenets the Indonesian negotiators had been instructed to adhere to above all others. An impasse loomed. It seemed there could be no resolution that would not drastically threaten the ability of the negotiators to
convince their own side to go along. President Yudoyono and Vice President Kalla urgently called a meeting at Kalla’s home to address the issue. In an unprecedented maneuver, they gathered the nine leaders of the nation’s leading political parties to discuss alternatives that would not alter the constitution. At the end of the evening they agreed to a solution whereby GAM would be able to run for office in the next election without having a party affiliation until afterwards, at which point they could assimilate into existing parties based upon ideological amenability.52

Yet GAM leaders rejected even this unprecedented compromise. Over a series of intense, lengthy negotiations, the parties agreed that the final memorandum of understanding would state that within a reasonable period of time, both sides would create the political and legal structure by which local Acehnese parties could exist without violating the national constitution. This committed the government to ensure passage of a new enabling law through the parliament. GAM’s reservations were deepest on this issue of trust; they feared that later governments might weaken any agreements reached through the negotiations. Ahtisaari’s response was firm. He reiterated his earlier point: “no government in the world could guarantee that a constitution already in existence would be in force forever. That is the way democracy works. But if we couldn’t deal around the negotiating table with those matters that could bring about peace, peace would never come at all.”53

The Indonesian government asked that the period of transition be two years. GAM asked for six months. In heated talks that went well into the evening, they settled upon a period of one year to 18 months. The greatest remaining hurdle had been passed54.

Queries for Ahtisaari: What is your assessment of how the issue of local political parties was handled? Would you have done anything differently? Lessons?

Adjourning, GAM and the Indonesian government sensed the end was in sight. Drafts of a final agreement circulated as both sides, spurred on by Ahtisaari, approached a final meeting. As the parties gathered one last time, they settled the terms of monitors, they agreed upon a definition of self-governance, they set forth a future for political representation, and in a final act, they set forth a process by which grievances with the agreement could be addressed by future adherents.

MEMORANDUM OF UNDERSTANDING

Ahtisaari had put in motion a process from the outset that would be governed by the concept that “Nothing is agreed until everything is agreed.” Having set forth that policy, he bound himself to the process as a final act, agreeing that he and the CMI would remain the arbiter of last resort on any issue the two groups could not resolve in the future. All parties, the mediator included, had committed to a long-term peace.

Queries for Ahtisaari: In retrospect, how important was your insistence on the condition that “nothing is settled until/unless everything is settled”? Under what conditions would you urge this on negotiators? For example, Clinton, Barak, and Arafat at Camp David in 2000 appeared to aim for a comprehensive deal rather than a pause and more limited progress. Yet, that failed. How should a mediator/negotiator decide to push for a fuller v. a narrower deal? Examples?
The Memorandum of Understanding (MoU) allocated 70% of hydrocarbon wealth to Aceh, giving the province control over limited aspects of central banking, but contiguous tax representation within the nation of Indonesia. Provisos of the agreement established rules for transparency never seen before in Acehnese-Indonesian government.

It was agreed that a system by which grievances could be addressed, through truth and reconciliation, amnesty, and prosecution, would be established and Aceh was allowed to return to the public celebration of ceremonies and practices long forbidden during the conflict.

Self-governance, defined as a process by which the Acehnese could elect their own leaders for internal rule, while deferring to the contiguous uniformity of an Indonesian state, Indonesian foreign policy, and Indonesian military, was the first such status granted to Aceh in its history.

Before autumn made its appearance, eight months after beginning a process that few believed would result in lasting change, a treaty was signed, and for the first time in over a generation the status of Aceh appeared to be settled.

**AFTER THE PEACE**

Despite many views to the contrary, the Aceh negotiations had not been the result of the devastating tsunami of December 2004. The implementation of the agreement that resulted from those talks, however, continues to take place in the wake of this enduring trauma. Aside from the human toll, the infrastructure damage by the tsunami brought the implementation of resource sharing to the fore as the effects of the Memorandum of Understanding became a reality in Aceh.

GAM leaders, long labeled terrorists, were effectively granted a status by which they could hold office. In December 2006, Irwandi Yusuf, a former GAM commander who had been freed from his prison cell by the waves of the tsunami, was elected governor of Aceh.

In late 2005, rifts within the legislature of the Indonesian Government delayed a comprehensive implementation of the promised Law on the Governance of Aceh. When the law ultimately passed in January 2006, GAM officials and outside observers accused Indonesian parliamentarians of carefully redacting passages of the Memorandum of Understanding to keep capital resource distribution and areas of financial autonomy within Jakarta’s control. The carefully worded memorandum, which explicitly left out the phrases “self governance” or “special autonomy” seemed open to broader interpretation than previously anticipated.55

The actions of the joint EU-ASEAN Aceh Monitoring Mission (AMM), which was given the task of enforcing disarmament, troop withdrawal, and truth and reconciliation, proceeded at a more rapid and comprehensive pace under the direction of Pieter Feith. Within months GAM fighters began returning to civil society and turning in weapons. Indonesian military forces withdrew rapidly, and incidents of GAM/military violence largely disappeared.56

Reports of civil violence increased, but this was widely attributed to the difficulties of mass social re-assimilation and an increased rate in reporting crimes by civilians. AMM monitors reported to the World Bank that crimes were frequently settled by communities before being
reported. Despite 36% of the population claiming some degree of trauma from the decades of fighting, researchers found that the greatest post-accord donations for the repatriation of GAM fighters came directly from Acehnese civilians.  

Many GAM fighters found re-assimilation difficult, a fact expressed most poignantly by the discovery that 50% of GAM fighters’ children were not enrolled in school in 2007, two years after the signing of the memorandum.  Concerns were also raised regarding the accuracy of the disarmament projections, especially for GAM fighters.  Feith felt that comprehensive disarmament and troop reduction based upon the combatants’ assessment, right or wrong, was more essential within the prescribed timeframe. Though the violence has subsided, concerns remain about the number of weapons that may continue to be present.

The issue of truth and reconciliation, which had so powerfully influenced the emotional tone of the negotiations, essentially disappeared from the list of post-accord issues. Local groups embraced truth and reconciliation, but as a national and province-wide issue, many GAM and government officials apparently came to believe that looking toward the past could be more dangerous than productive.  Rhetoric shifted toward the creation of a truth and friendship commission, as was done in East Timor, yet five years later no such commission exists and the issue of past abuses seems to have been set aside, at least tacitly.

President Yudhoyono has been re-elected but Hasan di Tiro passed away in June 2010 at the age of 84. Many of his former soldiers went into construction, benefitting from the rebuilding initiative.

Concerns remain about Aceh, despite progress. Age-old divides persist, including the association between moderate religious clerics and local rule versus political and business leaders and outside rule. This was evidenced by GAM’s opposition to the passage of Shari’a Law in late 2005, an initiative supported by much of the Acehnese public.  Questions have been raised regarding GAM political officials’ ability to disperse the substantial funds they have received from the resource sharing agreement, and there is the fear that Jakarta is unable to fully implement the provisions of the memorandum in such a way that fully settles Aceh’s unique status. Graft and extortion have impeded economic growth.

Five years after the signing of the Memorandum of Understanding, no single Acehnese citizen remains untouched by the mutual degradations of war and cataclysm. Implementation difficulties continue to affirm Ahtisaari’s belief that even the most straightforward agreement requires maintenance, vigilance, and time. Yet half a decade of peace after thirty years of unceasing strife is an affirmation in and of itself of a peace held in the face of extraordinary odds, no matter what the future holds.

Queries for Ahtisaari: What, if anything, would you do differently? Lessons? Generalizations?
**Exhibit 1: Partial Glossary of Parties and Abbreviations**

**Ahtisaari, Martti**—President of Finland (1996-2000), lifetime diplomat, and founder of the Crisis Management Initiative (CMI). Principal mediator of the Helsinki negotiations which led to the 2005 Memorandum of Understanding (MoU)

**AMM**—The Aceh Monitoring Mission, responsible for overseeing disarmament, troop withdrawal, and reintegration of GAM members after the signing of the Helsinki Memorandum of Understanding. Comprised of monitors from the European Union (EU) and the Association of Southeast Asian Nations (ASEAN).

**ASEAN**—The Association of Southeast Asian Nations, a regional inter-state organization that contributed monitors to the Aceh Monitoring Mission (AMM), alongside the European Union (EU).

**CHD**—Center for Humanitarian Dialogue, formerly The Henry Dunant Center, a Geneva-based, non-governmental organization responsible for mediating two rounds of talks in the half-decade prior to the 2005 Helsinki negotiations.

**Christensen, Juha**—Finnish philologist and businessman with extensive ties to Indonesia who served as a senior, albeit informal, advisor throughout the Helsinki negotiations. His interest and involvement led directly to the 2005 Aceh negotiations as well as the involvement of Martti Ahtisaari.

**CMI**—The Crisis Management Initiative, an international non-governmental mediation organization founded by Martti Ahtisaari.

**CoHA**—The Cessation of Hostilities Agreements, a short-lived accord reached between the Government of Indonesia and the Free Aceh Movement (GAM) in 2003.

**di Tiro, Hasan**—Founder of Gerakan Aceh Merdeka, or Free Aceh Movement (GAM) in 1976. A one-time businessman and descendant of the last Sultans of Aceh, he led the organization from exile in Sweden for decades. He returned to Aceh in 2008 and died in June 2010 at the age of 84.

**EU**—The European Union, a regional inter-state organization that contributed monitors to the Aceh Monitoring Mission (AMM), alongside the European Union (EU).


**GAM**—Gerakan Aceh Merdeka, also known as the Free Aceh Movement, founded in 1976 by Hasan di Tiro with the intent of achieving national independence for the province of Aceh.

**GoI**—The Government of Indonesia, against whom the Free Aceh Movement waged a 30-year insurgency.

**Husain, Farid**—Deputy Minister under Indonesian President Susilo Bambang Yudhoyono, and a trusted ally of Indonesian Vice President Jusuf Kalla. A leading negotiator on behalf of the Government of Indonesia (GoI), he is widely credited with making the initial overtures that led to the Helsinki negotiations.
HDC—The Henry Dunant Center, later renamed the Center for Humanitarian Dialogue, a Geneva-based non-governmental organization responsible for mediating two rounds of talks in the half-decade immediately prior to the 2005 Helsinki negotiations.

Kalla, Jusuf—Vice-President of Indonesia during the Helsinki negotiations, and a principal instigator of the talks. Senior advisor to the negotiating team of the Government of Indonesia (GoI) from Jakarta.

Mahmoud, Malik—Prime Minister, principal mediator, and signer of the Helsinki Memorandum of Understanding (MoU) for the Free Aceh Movement (GAM).

MoU—Memorandum of Understanding, the peace agreement signed in Helsinki, Finland on August 15, 2005 between the Free Aceh Movement (GAM) and the Government of Indonesia (GoI).

Solana, Javier—High Representative for Common Foreign and Security Policy of the European Union (EU) during the Aceh negotiations. A close associate of Martti Ahtisaari, his involvement led directly to the involvement of Pieter Feith and the EU in the Aceh Monitoring Mission (AMM).

TNI—Tentara Nasional Indonesia, the Indonesian Military

Yudhoyono, Susilo Bambang—President of Indonesia (2004-Present), a former Army general, cabinet minister under his two Presidential predecessors. Frequently known by the acronym SBY.

Bibliographic Note (Incomplete)

The abbreviated endnotes referenced below have been mainly derived from the following sources (abbreviations included) and will be completed in subsequent drafts:


2 MP 128 (Abbreviations, e.g. “MP”, are explained above in the Bibliographic Note.)
3 EA vii
4 Ibid.
5 MM 137-38
6 EA 23-24
7 MP 19
8 MP 17
9 MP 24
10 MP 45, 42
11 MP 79-80
63 JB 34
64 JB 23
65 JB 34-35