

ACEH

## Concerns remain about peace deal

Saturday 8 October 2005, by [BALOWSKI James](#) (Date first published: 7 September 2005).

Jakar,

On August 15, the Indonesian government and the Free Aceh Movement (GAM) signed a historic Memorandum of Understanding (MoU) as a first step in seeking a peaceful and lasting solution to the decades-long conflict in Aceh.

Indonesian Armed Forces (TNI) and GAM commanders in Aceh have cautiously welcomed the agreement, but have both expressed doubts that the other side would stick to the deal.

Indonesia's parliament, which had earlier opposed the Helsinki negotiations, welcomed the agreement. However, parliamentary speaker Agung Laksono has claimed it internationalised the Aceh question and that there may be a hidden agenda by unspecified parties behind the deal.

The only open opposition has come from a number of small, ultra-nationalist groups in Java that have held a number of demonstrations to "alert the nation of the evil intent of colonialist countries who are using ideological tools such as secularism, liberalism and pluralism to weaken Indonesia".

Human rights groups have also welcomed the agreement, saying that this time round both sides appear much more determined to make it work.

However, a number of human rights groups have raised concerns over the question of amnesty. As well as specifying that only "former GAM" members will be granted amnesty, Jakarta has made it clear that those that have committed ordinary crimes will also be excluded.

According to the chairperson of the Indonesian Legal Aid and Human Rights Foundation (PBHI), Johnson Panjaitan, many of those initially arrested or charged in Aceh for "subversion" were later convicted for ordinary criminal acts and would therefore not be eligible for the amnesty.

The requirement that those amnestied be "former-GAM" members raises questions about the fate of human rights activists jailed for "political" activities against the government. Speaking to Detik.com on August 16, the chairperson of the Indonesian Legal Aid Foundation, Munarman, pointed out that many prisoners are human rights, non-government and student activists who were arrested and charged with subversion.

In a press statement released on August 14, GAM spokesperson Bachtiar Abdullah said that based on leaked TNI intelligence documents, there are nine militia organisations operating in Aceh comprising some 10,000 members which have "explicit relationships" with the TNI's district military commands.

He said that while under the peace deal the police are responsible for disarming the militias, he doubted that the police could do this. "It is difficult to believe that the police will remove the weapons from the militia which were given to them by the TNI", he told the August 15 Aceh Kita.

Abdullah said the Indonesian government could not be relied on to disarm the militias since it denied their existence. Neither could the local police, he added. "They are unlikely to act against their own partners in repression", he told Agence France Presse on August 14.

Based on reports coming out of Aceh, Abdullah said the militias have already declared they will start killing GAM members after they have surrendered their weapons. "At this time, there is still no mechanism to stop this brutality. This is part of the TNI's plan to disrupt and derail the peace process".

He added that if GAM tries to defend itself, this could be used as an excuse by the TNI to relaunch military operations and restrict the peace process as a whole. "The TNI has habitually done this in East Timor, Papua, Maluku and Central Sulawesi."

At a press conference in Banda Aceh on August 21, Sofyan Djalil, Indonesia's minister of information and communications, said that while GAM can establish local political parties, it may have to fulfil existing requirements that these have branches in half of Indonesia's provinces and a national office in Jakarta. One of the key points of the agreement is that the electoral laws or the laws on special autonomy for Aceh would be amended so the Acehnese could form local political parties.

The government is also backtracking on the question of settling human rights violations through a human rights tribunal. On August 19, Indonesian justice minister Hamid Awaluddin said that using retroactive principles when setting up a tribunal in Aceh would open old wounds and disrupt the peace process. "If we keep looking back to the past, we will continue to blame each other and there would be no end to it; there would be no peace in Aceh. So, we have decided to look forward", he said. Separately, Djalil said that only violations after the date the MoU was signed will be investigated.

Responding to these remarks, Abdullah said this is not what the two sides agreed to when they signed the MoU. "To our understanding, it will be retroactive", he said.

Awaluddin's statement came after Usman Hamid, the coordinator of human rights group KontraS, told reporters that settling all past atrocities in Aceh was necessary to build lasting peace.

"The government officials have been interpreting this point wrongly", Hamid told the state news agency Antara. "As the only country in the world with a national human rights court, there is the possibility of trying past violations, or using retroactive principles."

---

**P.S.**

\* From Green Left Weekly, September 7, 2005.