

Case Study of the Aceh Conflict Resolution
Between The Government Of Indonesia And GAM
(Gerakan Aceh Merdeka/Free Aceh Movement)

By

Colonel R. Achmad Prihadi

Staff Officer of Indonesian Air Force Special Forces Corps

Indonesian Air Force

Student of the National Defence College

The National Defence Course: Class 56

Academic Year 2013-2014

ABSTRACT

Title : Case Study of the Aceh Conflict Resolution between the Government of Indonesia and GAM (Gerakan Aceh Merdeka /Free Aceh Movement)

Field : Politic

Name : Colonel R. Achmad Prihadi, Course : NDC, Class : 56

The essence of this research is to examine how the conflict had been going for decades between government of Indonesia and free aceh movement could be resolved by peaceful means. With the aim to examine, why is a conflict between the Indonesian government and the Free Aceh Movement occur and also to examine, how to achieve the peace process through dialogue means. With the research method used is descriptive method by collecting, and compiling data then analyze of the data that have been compiled or classified, and then interpret the meaning of the data. With the type of descriptive method used is case study. Based on the research that has been conducted found a picture that the conflict between the Indonesian government and the Free Aceh Movement caused by disappointment of the Aceh community to the Indonesia government policies which is not fair to the Aceh community, particularly in the economic factor, and not be implemented of Islamic law/Syariah Islam as the basis of government at the Aceh region, as well as friction between the local elite of Aceh and the central elite. And finally accumulation become an initiative of insurgency emergence of free aceh movement. The achievement of peace process in the Aceh province because of the awareness of both sides to more priority the interest of the aceh people, the free aceh movement sincerity to change of desire from independence to receive special autonomy. And the government policy by giving special autonomy and implementation of Islamic law, and also openness both side to accept a third party as mediator to resolve the conflict. Aceh conflict resolution is an example, the peace way is remarkable because policies two of warring parties, the government of Indonesia and free aceh movement together to promote the interest of the Aceh people. This resolution should be used as an example for the state that still faces an internal conflict, and has not find the meeting point.

Keywords : conflict, disappointment, Government of Indonesia, Free Aceh Movement, peace and conflict resolution

Preface

With say a gratitude to ALLAH SWT for mercy and His grace has given strength and health to the author so as to complete the task of given by the National Defense College as planned. The title of the research which the authors proposed is " Case Study of Aceh Conflict Resolution between the government of Indonesia and GAM (Gerakan Aceh Merdeka / the Free Aceh Movement).

In making this research paper the author uses descriptive method by collecting of the data, compiling or classify the data then analyze and interpret the meaning of the data. With the type of descriptive method used is a case study, as a case study focusing attention on the case in detailed and intensive. As for the background of the author chose this title because many developing countries are still facing similar problems to the conflict that has occurred in Indonesia, particularly in Aceh province. So the research is expected to provide an idea or input for Countries still faces a conflict to resolve conflict through dialogue and peaceful.

With the completion of this Research Paper, finally the author thanked profusely to the NDC Superintendent, Supervising officer and all staff who have provided encouragement, guidance and assistance in the preparation of this Research Paper. In particular, the authors express our gratitude and highest appreciation to Col Kisada, as the Supervisor Officer of Research Paper that with patience and understanding has provided guidance, encouragement and direction as well as moral support in completing this Research Paper.

The author realizes that this paper is still far from perfection, therefore the authors are hoping for some contributions in the form of constructive suggestions, opinions or criticism in order to improve the research paper.

(Colonel. R. Achmad Prihadi)

Student of the National Defence College

Course: NDC Class: 56

Researcher

Contents

| | PAGE |
|---|------------|
| Abstract | i |
| Preface | ii |
| Contents | iii |
| CHAPTER 1 INTRODUCTION | 1 |
| BACKGROUND AND IMPORTANCE OF THE PROBLEM | 1 |
| PURPOSE OF THE RESEARCH | 5 |
| SCOPE OF THE RESEARCH | 5 |
| RESEARCH METHODOLOGY | 5 |
| THE BENEFITS EXPECTED FROM THE RESEARCH | 6 |
| CHAPTER 2 REVIEWS OF RELEVANT THEORIES, CONCEPTS AND LITERATURES | 7 |
| CONFLICT | 7 |
| DEFINITION OF CONFLICT | 7 |
| TYPES OF CONFLICT | 8 |
| SOLUTION FOR OVERCOMING CONFLICT | 9 |
| LAWS THAT RELATED TO CONFLICT RESOLUTION | 10 |
| PRESIDENTIAL INSTRUCTION AND RESOLUTION | 11 |
| COHA | 12 |
| HELSINKY MoU | 12 |
| CHAPTER 3 THE HISTORY OF GAM AND CRONOLOGY OF CONFLICT | 23 |
| GENERAL | 23 |
| THE HISTORY OF GERAKAN ACEH MERDEKA (FREE ACEH MOVEMENT) | 24 |
| -THE FIRST PHASE IN 1976 - 1978 | 25 |
| -THE SECOND PHASE IN THE DECADE 1980 | 25 |
| -THE THIRD PHASE OF 1989 | 25 |
| -THE FOURTH PHASE | 26 |

Contents (Cons.)

| | PAGE |
|--|-------------|
| CHRONOLOGY OF THE CONFLICT AND ACHIEVE OF THE PEACE | 26 |
| CHAPTER 4 ANALYSIS AND LESSOND LEARNED | 33 |
| GENERAL | 33 |
| DATA ANALYSIS | 34 |
| -THE HISTORY FACTORS | 34 |
| -THE ANTRHOPOLOGY FACTORS | 35 |
| -THE ECONOMIC FACTORS | 36 |
| -THE POLITICAL FACTORS | 36 |
| -THE SOCIAL FACTORS | 37 |
| -THE GEOGRAPHIC FACTORS | 37 |
| LESSONS LEARNS FOR THAILAND | 43 |
| CHAPTER 5 CONCLUSION AND RECOMMENDATION | 46 |
| CONCLUSION | 46 |
| RECOMMENDATION | 50 |
| Bibliography | 53 |
| Biography | 58 |

CHAPTER 1

INTRODUCTION

BACKGROUND AND IMPORTANCE OF THE PROBLEMS

Republic of Indonesia abbreviated RI or Indonesia is a country located in Southeast Asia, which is crossed by the equator, between two continents, Asia and Australia as well as the two Oceans, Pacific and Indian Oceans. Indonesia is the largest archipelago in the world with approximately 13.466 island (survey of Directorate General of Marine Coastal and Small Islands (KP3K))¹, and two-thirds (2/3) of territory is ocean with a long coastline of about 81,000 km (source of data from the Ministry of the Interior Republic of Indonesia in 2004). Alternative names are commonly used archipelago/Nusantara, with a population of 237 641 326 people in 2010². Indonesia has land borders with Malaysia on Borneo island, with Papua New Guinea on the island of Papua and East Timor on the island of Timor. While marine areas bordering India, Thailand, Malaysia, Singapore, Vietnam, Philippines, Republic of Palau, Papua New Guinea, East Timor and Australia³. Indonesia is the fourth most populous country in the world and the largest Muslim country in the world, although it is not officially an Islamic state. Such as Other countries Indonesia is still facing internal conflicts such as separatism or security insurgent movement. One of the conflict in Indonesia is "the Aceh conflict". The Aceh conflict is the conflict between the government of the republic of Indonesia with Free Aceh Movement (GAM), the conflict has claimed many casualties, both fatalities and casualties of material. A few years ago, Indonesia is faced with two

¹ <http://www.antaraneews.com/berita/216596/hasil-survei-terbaru-jumlah-pulau-indonesia>

² <http://www.bps.go.id/jumlah/penduduk-indonesia>

³ http://kawasan.bappenas.go.id/index.php?catid=36:sub-direktorat-kawasan-khusus-perbatasan&id=98:perbatasan&option=com_content&view=article

separatist group that aims to separate from Indonesia, namely (security disturbance Movement) Papua, and GAM (Free Aceh Movement). Currently GAM problems can be solved by the Indonesian government through the dialogue that ultimately resulted in peace.

Conflict is a social process between two people or more (can also group) where one party trying to get rid of the other party to destroy it or make it powerless⁴. According to some literature there are various kinds of conflict, but here will be discussed the vertical conflict is the conflict between the government and separatist groups are also many in the face by some developing countries. Until recently there were few countries that can resolve conflicts through dialogue and ended with a peace agreement. Among the States that can resolve the conflict by peaceful means is Indonesia, with Aceh conflict, the conflict between the Government of the Republic of Indonesia and the Free Aceh Movement (GAM).

Beginning of the conflict in Aceh, It's started after Indonesia's Independence there are some elite group in Aceh feel disappointment with the policy that given by the Government of Indonesia. Of historical fact is indisputable that the people of Aceh have much to contribute both economic and moral support to the Republic of Indonesia, from the Dutch colonial period until the Japanese occupation. Even former Indonesian president Soekarno once called that Aceh as the capital of a whole struggle of Indonesian people. By the time going back Dutch aggression, the whole of Indonesia successfully controlled by the Dutch, and the only region of Aceh is the only region that is not controlled so that the Republic of Indonesia is still able to stand. Contribution that people of Aceh on the Indonesian Government under the leadership of Teuku Daud Beureuh who agreed to raise funds and property as well as play an active role in defending the country. To see how big the contribution of the people of Aceh, President Soekarno at the time promised to the implementation of Islamic law in Aceh after a struggle for independence ended. But the promise was not fulfilled, just putting Aceh as a part of North Sumatra province, and the 10 Division TNI in Aceh were instrumental in the

⁴ <http://id.wikipedia.org/wiki/Konflik>, November 9, 2013

struggle for independence was also disbanded, and exacerbated by the emergence of the issue of the "Black List" which contains of Aceh leaders including Teuku Daud Beureuh who want to be removed by the central government. So the rebellion movement of the Darul Islam / Islamic Army of Indonesia (DI / TII) on 1953 comes up cause of the disappointment with the central government.

In December 1962, the rebellion DI / TII under the leadership of Daud Beureuh eventually be solved by peaceful means through Deliberation Harmony Acehese⁵. And Soekarno government gave assurance that the province would be given the status of Special Region with autonomy, particularly in the sector of religion, custom, and education was passed in Laws no. 18 of 1965. However, in 1974 (the New Order era) government repeal the Act no. 18 and replace it with the Laws. No. 5 of the Local Government main staple, this repeal would bring back disappointment for the people of Aceh and has contributed to the emergence of the idea of the State of Aceh Merdeka (Free Aceh). Another factor of disappointment come up is the marginalization of the Acehese cultural identity that has existed since hundreds of years, a very strong cultural identity rooted and uphold the customs and harmony with Islamic values. Acehese living concept has been formed since the reign of the Islamic Empire. One of the causes of the rebellion Teuku Daud Bereuh, because it does not fulfill the promise of Soekarno to provide the Acehese Islamic identity. Then when the new order era a lot of the factories establishment had been done in Aceh like the LNG factory in Arun, fertilizer factory of Iskandar Muda, Asean Aceh Fertilizer and factory of Kraft Paper flourishing and make Indonesia as the country's largest LNG exporter. With the operation of the companies, then in 1993 the Aceh can contribute to the state of the oil and gas sector of Rp 6,644 trillion. But from an income of that 453.9 billion only which was returned to Aceh, so that this injustice makes Aceh region lagging behind compared to other provinces. From the several of incident, and there was accumulation of disappointment people of Aceh on the Indonesian Government that the situation does not benefit the people of Aceh and

⁵ http://id.m.wikipedia.org/wiki/Negara_Islam_Indonesia, nov 19, 2013

eventually it became a forerunner of the Free Aceh Movement (GAM), which is a reflection of the Rebellion DI / TII 1953.

December 4, 1976, the initiator of the Free Aceh Movement Hasan di Tiro and some of his followers issued a statement against the government of Indonesia that took place in the region in the hills Halimon Pidie district⁶. At the beginning of the founding period of GAM, the official name used is AM (Aceh Merdeka), while the Indonesian government called it by the name of GPK-AM (Gerakan Pengacau Keamanan-Aceh Merdeka/Movement-security disturbance Aceh Merdeka).

This movement of armed groups immediately got stiff resistance from the Indonesian government finally held a military operation in Aceh Special Region known as DOM (Daerah operasi militer/ Military Operations Region) from 1989 to 1998. While the New Order regime in Indonesia ends (in 1998), and the reform era began, along with the Free Aceh Movement re-exist with the name GAM as the organization's identity. The conflict between GAM and the Indonesian government continued until 2003, at which time the government imposed martial law in Aceh. The process of dialogue between the government and GAM activists continues, but so far it has not reached an agreement for peace and always ended in failure. Conditions in Aceh at that time it makes the activity of GAM personel depressed and there are some activists who fled the area, and also abroad. Dated December 26, 2004 in Aceh earthquake and tsunami, which eventually forced the warring parties to return to the negotiating table on the initiative and the international mediation.

On February 27, 2005, the Government of Indonesia and GAM activists began to the negotiations stage are carried out in the city of Vantaa, Finland with facilitators former Finland President Marti Ahtisaari. The dialogue process continues to run until the end after deliberating for 25 days precisely on July 17, 2005, the committee Indonesia and GAM activists managed to reach a peace deal. The peace agreement between the Indonesian government and GAM signed on August 15, 2005, and further the peace

⁶ <http://www.wikipedia.id.co/gam>, nov 5, 2013

process are monitored by a team with the name of the AMM (Aceh Monitoring Military) consisting of personnel from ASEAN Countries and some of the country within the European Union. And finally on December 27, 2005, Sofyan Dawood, as GAM's spokesman claimed that their military wing had officially disbanded.

As above mention, the problem of this research is "How the conflict that has been going on for decades between the Indonesian government and the GAM (Free Aceh Movement) can be resolved by peaceful means?. Based on these problems, the research questions focused on:

1. Why is the conflict between the Government of the Republic of Indonesia and Gerakan Aceh Merdeka (GAM/Free Aceh Movement) occurred?

2. How to achieve peace process between the Government of the Republic of Indonesia and GAM (Free Aceh Movement)?

PURPOSES OF THE RESEARCH

In accordance with the above problems, the purposes of this case study research are:

1. To find out why? Conflict in Aceh between the Indonesian Government and GAM (Free Aceh Movement) occurs.

2. To find out how the achievement of the peace process between the Government of the Republic of Indonesia and GAM (Free Aceh Movement) by way of dialogue and peace, so that it can be used as an example by other countries that face the same or similar conflict with Indonesia.

With the intends it can be used as one of the inputs material or lessons learned especially for the Thai government in order to resolution separatist conflict in southern

Thailand, and generally to other States that face the separatist problem inside the country.

SCOPE OF THE RESEARCH

Scope of this paper includes initial conflict of Aceh and process of reaching the resolution of the conflict of Aceh between the Indonesian government and GAM (Gerakan Aceh Merdeka/Free Aceh Movement) with dialogue and peaceful means.

RESEARCH METHODOLOGY

As stated above, key objectives of the research project was to assess conflict of Aceh and the process of peace agreement between Government of Republic of Indonesia with GAM (Gerakan Aceh Merdeka/Free Aceh Movement). Research methodology used is descriptive method by collecting, and compiling data then analyze and interpret the meaning of the data.

With the type of descriptive method used is a case study, as a case study focusing attention on the case in detailed and intensive. The implementation of the research is divided into two stages, as follows:

1. First Stage.

- 1.1 Searching and collecting the data, from the books, documents and as well as over the internet relating to the topic.

- 1.2 After collecting the data and then compiled and classified.

2. Second Stage.

- 2.1 To conduct analysis of data that has been compiled and classified.

- 2.2 From the analysis and interpretation of the obtained results of the causes and consequences of conflict.

- 2.3 All data and analysis made in Research paper form.

THE BENEFITS EXPECTED FROM THE RESEARCH

Research case studies of Aceh conflict resolution between the Indonesian government and the Free Aceh Movement expected to provide benefits for countries that are facing similar problems or equal to Indonesia, especially for the Thai government is still facing problems with Muslim separatist movement in Southern Thailand. Hopefully this research paper can give you an idea, or ideas that are valuable to the Thai government to resolve the conflict in southern Thailand by way of dialogue. Resolution of a conflict not only in terms of the angle / aspect alone, but must be viewed from various angles, i.e. in terms of political, economic, social and culture, defense that will achieve a comprehensive peace.

CHAPTER 2

REVIEWS OF RELEVANT THEORIES, CONCEPTS AND LITERATURES

CONFLICT.

1. DEFINITION OF CONFLICT.

There are several opinions related to the definition of conflict, as follows:

1.1 In Republic of Indonesian Laws no. 7 In 2012, Article 1, paragraph (1) of the Social conflict resolution, social conflict is defined as follows: "Social Conflict, hereinafter called as the conflict is hostile and /or physically violent clash between two groups of people or more that takes place in a certain time and widespread impact that resulting insecurity and social disintegration that disrupt national stability and inhibits national development "¹.

1.2 According to Major Indonesian dictionary Conflict is strife, discord, contention².

1.3 The conflict comes from the Latin verb *confingere* meaning hit each other. In sociology, conflict is defined as a social process between two people or more (can also group) where one party trying to get rid of the other party to destroy it or make it powerless³.

¹ Presiden RI, Undang-Undang Republik Indonesia No. 7 Tahun 2012 tentang Penanganan Konflik Sosial.

² Konflik Sosial, Desember 2012, <http://sosiopedia.wordpress.com/materi-2/kelas-xi/semester-i/konflik-sosial/>, Dec 1, 2013.

³ <http://id.wikipedia.org/wiki/Konflik>, November 9, 2013

1.4 Definition of the conflict according to the experts:

1. Soerjono Soekanto: A social process of individuals or groups that try to meet the goal with the way against the opposing party and accompanied by threats or violence.⁴

2. Leopold Von Wiese: Social Conflict or so-called conflict is a social process in which individuals or groups of people trying to fulfill what the purpose with the way to oppose of other parties accompanied by threats and / or violence⁵.

3. Lewis A Coser: Conflict is a disagreement about the values or demands - demands relating to the status, power and sources of wealth that is in limited supply.

4. R.J. Rummel: Conflict is the social confrontation or power of strength.

From the definition above, it can be interpreted that the conflict is expressed in the opposition between the two parties or more individuals or groups of objects on the conflict, using patterns of behavior and conflict interaction that produces output conflict.

2. TYPES OF CONFLICT.

In conflict theory, and several literature that related conflict there are various types or forms of conflict. In this paper we will only present some kind of conflict are relevant to the issues to be discussed.

2.1 According to Lewis A. Coser, conflict divided into two⁶:

2.1.1 Realistic Conflict. The Conflicts that comes from individual disappointment or group to the system or the demands contained in social relationships.

⁴ Elviana, Myla, 13 July 2012, Sosiologi : Konflik sosial dan integrasi sosial.

<http://sosiologi25.blogspot.com/2012/07/konflik-sosial-dan-integrasi-sosial.html> , November 29, 2013.

⁵ Saptono dan Suteng S. Bambang 2007, Konflik Sosial, Desember 18, 2012,

<http://sosiopedia.wordpress.com/materi-2/kelas-xi/semester-i/konflik-sosial/>, Dec 1, 2013.

⁶ Ibid

2.2.2 Nonrealistic conflict. The Conflicts are not derived from the objectives of competition contrary, but from the needs of certain parties to defuse tensions.

2.2 According to Soejono Soekanto, based on its character, conflict is divided into two⁷:

2.2.1 Destructive conflict. The conflict that arises due to discontent, hatred and revenge of a person or group of people. At some point this conflict can damage or destroy a relationship.

2.2.2 Constructive conflict. It is functional conflict, the conflict arises because of the difference of opinion of the groups in the face of a problem.

2.3 Types of conflict according to the concentration of human activities in the community there are two, namely:

2.3.1 Vertical conflict. Conflicts between communities and the state, or according⁸ to Winardhi (1992:174) among employees who do not have the same position in the organization⁹.

2.3.2 Horizontal conflict. Conflicts between ethnic, tribal or religious.

3. SOLUTIONS FOR OVERCOMING CONFLICT

There are various solutions to resolve a conflict, including the following:

3.1. Third Party Intervention

Third-party intervention in international conflict has had a long history and became a broad spectrum consisting of multiple disciplines, and has evolved over time.

⁷ Ibid

⁸ Ibid

⁹ <http://carideny.blogspot.com/2012/11/jenis-jenis-konflik-penyebab-konflik.html>, Nov 10, 2013

Simply put, a third party is an individual or collective that is outside the conflict between two or more parties, who try to help them achieve problem resolution through various agreements. The purpose of the inclusion of a third party is to change destructive conflict and lower levels of escalation, the perpetrators of the conflict shifted toward conflict resolution¹⁰.

3.2 Mediation

Mediation is a conflict resolution process through the help of a mediator. The mediator is a person or a team to intervene to the conflict at the request of the conflict parties¹¹. Mediation solution is the most often used to resolve conflicts, especially conflicts between groups or individuals.

3.3 Reconciliation

Reconciliation is the conflict resolve process that transforms to situation before the conflict¹², i.e. a state of harmonious and peaceful life. The reconciliation process is divided into two stages:

3.3.1 Both Parties to the conflict choose a respected mediator.

3.3.2 Mediators work to create a situation of mutual forgiveness and resolve. In this process, the honor and dignity of both parties need to be respected and restored. Both parties are also obliged to respect the community.

4. LAWS THAT RELATED TO CONFLICT RESOLUTION

4.1 Laws of the Republic of Indonesia number 18 of 1965, regarding Basic Principles On Local Government, Article 88 paragraph 2. Indonesian government granted

¹⁰Iskandar Zulkarnaen, Peran Pihak Ketiga dalam Penyelesaian Konflik di Aceh, Analisa Kegagalan HDC serta Prospek Damai MoU Helsinki, Aceh tahun 2005, page 2.

¹¹ Abdul Qur'ani Habib (2012), Upaya mengatasi Pertikaian antar etnis/Ras di Indonesia dalam perspektif Ilmu Sosial dan Islam, Yogyakarta tahun 2012, page 6.

¹² Ibid, page 7.

status of Aceh as Special region with broad autonomy in matters of religion, culture and education.

4.2 Laws of the Republic of Indonesia number. 5 of 1974. Regarding of the Principals Local Government in the Region. Uniformity in all areas regardless of local values.

4.3 Law of the Republic of Indonesia number. 22 of 1999, regarding of the Regional Government of Aceh. Article 122 Privileges for Special Province of Aceh.

4.4 Law of the Republic of Indonesia number. 18 of 2001, concerning on Special Autonomy for Aceh Province.

5. PRESIDENTIAL INSTRUCTION AND RESOLUTION

5.1 Presidential Instruction of Republic of Indonesia number. 4 of 2001, regarding of Comprehensive steps In Order to Solving of Aceh Problem valid for a period of six months. The steps of comprehensive resolution of the Aceh problem include political, economic, social, legal, and public order, security and information and communication, the next would be to report all step, is being, and has been implemented to the President.

5.2 Presidential Resolution of Republic of Indonesia Number. 28 of 2003 regarding State of Emergency Declaration, with level of Military Emergency in Nanggroe Aceh Darussalam (NAD). As well as Integrated operations performed include humanitarian operations, law enforcement, strengthening the running of the government, and the restoration of security. Humanitarian assistance and health services supplied by the WHO (World Health Organization) and UNICEF (United Nations Children's Fund).

5.3 Presidential Decision of Republic of Indonesia No.43 of 2004, regarding Statement of Changes in Status State of Emergency from military state of emergency level into Civil emergency levels at Nanggroe Aceh Darussalam Province. The lowering decision of the emergency status is valid for six months without followed by an integrated operation cessation and reduction of the military and police forces in the province of Aceh.

5.4 Presidential Instruction of Republic of Indonesia Number 1 on the date of June1, 2004 regarding of the Implementation of the Integrated Operations in the danger situation on Civil Emergency levels at Aceh province.

6. **COHA.** December 9, 2002, CoHA (Cessation of Hostilities Framework Agreement) is an agreement that is intended for the cessation of armed conflict escalation, which includes:

6.1 Security, which includes the cessation of armed conflict and violence, the determination of zones of peace, demilitarization (relocation of military forces and the storage of weapons belonging to GAM).

6.2 Humanity, which include the distribution of aid to refugees.

6.3 Reconstruction, which includes the rehabilitation and reconstruction of destroyed and damaged by armed conflict.

6.3 Civil Reform, the organization of dialogue to strengthen the democratization process in Aceh

7. **HELSINKY MoU.** On August 15, 2005 the signing of a Memorandum of Understanding (MoU) between the government of Republic of Indonesian and GAM (Gerakan Aceh Merdeka/Free Aceh Movement). Minister of law and human rights Mr. Hamid Awaluddin stated that the MoU consists of two major lines, namely a matter of

principle and substance problems. The first principle, the MoU is a peaceful resolution of the Aceh problem, comprehensive and dignified. The second principle, negotiation and resolution of the Aceh problem are done in an honest and democratic in framework of the Republic of Indonesia and constitutional. The third principle, a peaceful resolution is done to facilitate the rebuilding of Aceh after the tsunami. This memorandum of understanding detailing the contents of the agreement reached and the principles that will guide the reform process. The agreement between the Government of Indonesia and the Free Aceh Movement is include the following¹³:

1. Governing of Aceh.

- 1.1 Law on the Governing of Aceh

- 1.1.1 A new Law on the Governing of Aceh will be promulgated and will enter into force as soon as possible and not later than 31 March 2006.

- 1.1.2 The new Law on the Governing of Aceh will be based on the following principles:

- a) Aceh will exercise authority within all sectors of public affairs, which will be administered in conjunction with its civil and judicial administration, except in the fields of foreign affairs, external defence, national security, monetary and fiscal matters, justice and freedom of religion, the policies of which belong to the Government of the Republic of Indonesia in conformity with the Constitution.

- b) International agreements entered into by the Government of Indonesia which relate to matters of special interest to Aceh will be entered into in consultation with and with the consent of the legislature of Aceh.

¹³ Government of Republic of Indonesia and GAM, Helsinki MoU, Agustus 15, 2005

c) Decisions with regard to Aceh by the legislature of the Republic of Indonesia will be taken in consultation with and with the consent of the legislature of Aceh.

d) Administrative measures undertaken by the Government of Indonesia with regard to Aceh will be implemented in consultation with and with the consent of the head of the Aceh administration.

1.1.3 The name of Aceh and the titles of senior elected officials will be determined by the legislature of Aceh after the next elections.

1.1.4 The borders of Aceh correspond to the borders as of 1 July 1956.

1.1.5 Aceh has the right to use regional symbols including a flag, a crest and a hymn

1.1.6 Kanun Aceh will be re-established for Aceh respecting the historical traditions and customs of the people of Aceh and reflecting contemporary legal requirements of Aceh.

1.1.7 The institution of Wali Nanggroe with all its ceremonial attributes and entitlements will be established.

1.2 Political participation

1.2.1 As soon as possible and not later than one year from the signing of this MoU, GoI agrees to and will facilitate the establishment of Aceh-based political parties that meet national criteria. Understanding the aspirations of Acehnese people for local political parties, GoI will create, within one year or at the latest 18 months from the signing of this MoU, the political and legal conditions for the establishment of local political parties in Aceh in consultation with Parliament. The timely implementation of this MoU will contribute positively to this end.

1.2.2 Upon the signature of this MoU, the people of Aceh will have the right to nominate candidates for the positions of all elected officials to contest the elections in Aceh in April 2006 and thereafter.

1.2.3 Free and fair local elections will be organised under the new Law on the Governing of Aceh to elect the head of the Aceh administration and other elected officials in April 2006 as well as the legislature of Aceh in 2009.

1.2.4 Until 2009 the legislature of Aceh will not be entitled to enact any laws without the consent of the head of the Aceh administration.

1.2.5 All Acehnese residents will be issued new conventional identity cards prior to the elections of April 2006.

1.2.6 Full participation of all Acehnese people in local and national elections will be guaranteed in accordance with the Constitution of the Republic of Indonesia.

1.2.7 Outside monitors will be invited to monitor the elections in Aceh. Local elections may be undertaken with outside technical assistance.

1.2.8 There will be full transparency in campaign funds.

1.3 Economy

1.3.1 Aceh has the right to raise funds with external loans. Aceh has the right to set interest rates beyond that set by the Central Bank of the Republic of Indonesia.

1.3.2 Aceh has the right to set and raise taxes to fund official internal activities. Aceh has the right to conduct trade and business internally and internationally and to seek foreign direct investment and tourism to Aceh.

1.3.3 Aceh will have jurisdiction over living natural resources in the territorial sea surrounding Aceh.

1.3.4 Aceh is entitled to retain seventy (70) per cent of the revenues from all current and future hydrocarbon deposits and other natural resources in the territory of Aceh as well as in the territorial sea surrounding Aceh.

1.3.5 Aceh conducts the development and administration of all seaports and airports within the territory of Aceh.

1.3.6 Aceh will enjoy free trade with all other parts of the Republic of Indonesia unhindered by taxes, tariffs or other restrictions.

1.3.7 Aceh will enjoy direct and unhindered access to foreign countries, by sea and air.

1.3.8 GoI commits to the transparency of the collection and allocation of revenues between the Central Government and Aceh by agreeing to outside auditors to verify this activity and to communicate the results to the head of the Aceh administration.

1.3.9 GAM will nominate representatives to participate fully at all levels in the commission established to conduct the post-tsunami reconstruction (BRR).

1.4 Rule of law

1.4.1 The separation of powers between the legislature, the executive and the judiciary will be recognised.

1.4.2 The legislature of Aceh will redraft the legal code for Aceh on the basis of the universal principles of human rights as provided for in the United Nations International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

1.4.3 An independent and impartial court system, including a court of appeals, will be established for Aceh within the judicial system of the Republic of Indonesia.

1.4.4 The appointment of the Chief of the organic police forces and the prosecutors shall be approved by the head of the Aceh administration. The recruitment and training of organic police forces and prosecutors will take place in consultation with and with the consent of the head of the Aceh administration in compliance with the applicable national standards.

1.4.5 All civilian crimes committed by military personnel in Aceh will be tried in civil courts in Aceh.

2. Human Rights

2.1 GoI will adhere to the United Nations International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

2.2 A Human Rights Court will be established for Aceh.

2.3 A Commission for Truth and Reconciliation will be established for Aceh by the Indonesian Commission of Truth and Reconciliation with the task of formulating and determining reconciliation measures.

3 Amnesty and Reintegration Into Society

3.1 Amnesty

3.1.1 GoI will, in accordance with constitutional procedures, grant amnesty to all persons who have participated in GAM activities as soon as possible and not later than within 15 days of the signature of this MoU.

3.1.2 Political prisoners and detainees held due to the conflict will be released unconditionally as soon as possible and not later than within 15 days of the signature of this MoU.

3.1.3 The Head of the Monitoring Mission will decide on disputed cases based on advice from the legal advisor of the Monitoring Mission.

3.1.4 Use of weapons by GAM personnel after the signature of this MoU will be regarded as a violation of the MoU and will disqualify the person from amnesty.

3.2 Reintegration into society

3.2.1 As citizens of the Republic of Indonesia, all persons having been granted amnesty or released from prison or detention will have all political, economic and social rights as well as the right to participate freely in the political process both in Aceh and on the national level.

3.2.2 Persons who during the conflict have renounced their citizenship of the Republic of Indonesia will have the right to regain it.

3.2.3 GoI and the authorities of Aceh will take measures to assist persons who have participated in GAM activities to facilitate their reintegration into the civil society. These measures include economic facilitation to former combatants, pardoned political prisoners and affected civilians. A Reintegration Fund under the administration of the authorities of Aceh will be established.

3.2.4 GoI will allocate funds for the rehabilitation of public and private property destroyed or damaged as a consequence of the conflict to be administered by the authorities of Aceh.

3.2.5 GoI will allocate suitable farming land as well as funds to the authorities of Aceh for the purpose of facilitating the reintegration to society of the former combatants and the compensation for political prisoners and affected civilians. The authorities of Aceh will use the land and funds as follows:

a) All former combatants will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh

b) All pardoned political prisoners will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.

c) All civilians who have suffered a demonstrable loss due to the conflict will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.

3.2.6 The authorities of Aceh and GoI will establish a joint Claims Settlement Commission to deal with unmet claims.

3.2.7 GAM combatants will have the right to seek employment in the organic police and organic military forces in Aceh without discrimination and in conformity with national standards.

4 Security Arrangements

4.1 All acts of violence between the parties will end latest at the time of the signing of this MoU.

4.2 GAM undertakes to demobilise all of its 3000 military troops. GAM members will not wear uniforms or display military insignia or symbols after the signing of this MoU.

4.3 GAM undertakes the decommissioning of all arms, ammunition and explosives held by the participants in GAM activities with the assistance of the Aceh Monitoring Mission (AMM). GAM commits to hand over 840 arms.

4.4 The decommissioning of GAM armaments will begin on 15 September 2005 and will be executed in four stages and concluded by 31 December 2005.

4.5 GoI will withdraw all elements of non-organic military and non-organic police forces from Aceh.

4.6 The relocation of non-organic military and non-organic police forces will begin on 15 September 2005 and will be executed in four stages in parallel with the GAM decommissioning immediately after each stage has been verified by the AMM, and concluded by 31 December 2005.

4.7 The number of organic military forces to remain in Aceh after the relocation is 14700. The number of organic police forces to remain in Aceh after the relocation is 9100.

4.8 There will be no major movements of military forces after the signing of this MoU. All movements more than a platoon size will require prior notification to the Head of the Monitoring Mission.

4.9 GoI undertakes the decommissioning of all illegal arms, ammunition and explosives held by any possible illegal groups and parties.

4.10 Organic police forces will be responsible for upholding internal law and order in Aceh.

4.11 Military forces will be responsible for upholding external defence of Aceh. In normal peacetime circumstances, only organic military forces will be present in Aceh.

4.12 Members of the Aceh organic police force will receive special training in Aceh and overseas with emphasis on respect for human rights.

5 Establishment of The Aceh Monitoring Mission

5.1 An Aceh Monitoring Mission (AMM) will be established by the European Union and ASEAN contributing countries with the mandate to monitor the

implementation of the commitments taken by the parties in this Memorandum of Understanding.

5.2 The tasks of the AMM are to:

5.2.1 Monitor the demobilization of GAM and decommissioning of its armaments.

5.2.2 Monitor the relocation of non-organic military forces and non-organic police troops.

5.2.3 Monitor the reintegration of active GAM members.

5.2.4 Monitor the human rights situation and provide assistance in this field.

5.2.5 Monitor the process of legislation change.

5.2.6 Rule on disputed amnesty cases.

5.2.7 Investigate and rule on complaints and alleged violations of the MoU.

5.2.8 Establish and maintain liaison and good cooperation with the parties.

5.3 A Status of Mission Agreement (SoMA) between GoI and the European Union will be signed after this MoU has been signed. The SoMA defines the status, privileges and immunities of the AMM and its members. ASEAN contributing countries which have been invited by GoI will confirm in writing their acceptance of and compliance with the SoMA.

5.4 GoI will give all its support for the carrying out of the mandate of the AMM. To this end, GoI will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.

5.5 GAM will give all its support for the carrying out of the mandate of the AMM. To this end, GAM will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.

5.6 The parties commit themselves to provide AMM with secure, safe and stable working conditions and pledge their full cooperation with the AMM.

5.7 Monitors will have unrestricted freedom of movement in Aceh. Only those tasks which are within the provisions of the MoU will be accepted by the AMM. Parties do not have a veto over the actions or control of the AMM operations.

5.8 GoI is responsible for the security of all AMM personnel in Indonesia. The mission personnel do not carry arms. The Head of Monitoring Mission may however decide on an exceptional basis that a patrol will not be escorted by GoI security forces. In that case, GoI will be informed and the GoI will not assume responsibility for the security of this patrol.

5.9 GoI will provide weapons collection points and support mobile weapons collection teams in collaboration with GAM.

5.10 Immediate destruction will be carried out after the collection of weapons and ammunitions. This process will be fully documented and publicized as appropriate.

5.11 AMM reports to the Head of Monitoring Mission who will provide regular reports to the parties and to others as required, as well as to a designated person or office in the European Union and ASEAN contributing countries.

5.12 Upon signature of this MoU each party will appoint a senior representative to deal with all matters related to the implementation of this MoU with the Head of Monitoring Mission.

5.13 The parties commit themselves to a notification responsibility procedure to the AMM, including military and reconstruction issues.

5.14 GoI will authorise appropriate measures regarding emergency medical service and hospitalisation for AMM personnel.

5.15 In order to facilitate transparency, GoI will allow full access for the representatives of national and international media to Aceh.

6 Dispute Settlement

6.1 In the event of disputes regarding the implementation of this MoU, these will be resolved promptly as follows:

6.1.1 As a rule, eventual disputes concerning the implementation of this MoU will be resolved by the Head of Monitoring Mission, in dialogue with the parties, with all parties providing required information immediately. The Head of Monitoring Mission will make a ruling which will be binding on the parties.

6.1.2 If the Head of Monitoring Mission concludes that a dispute cannot be resolved by the means described above, the dispute will be discussed together by the Head of Monitoring Mission with the senior representative of each party. Following this, the Head of Monitoring Mission will make a ruling which will be binding on the parties.

6.1.3 In cases where disputes cannot be resolved by either of the means described above, the Head of Monitoring Mission will report directly to the Coordinating Minister for Political, Law and Security Affairs of the Republic of

Indonesia, the political leadership of GAM and the Chairman of the Board of Directors of the Crisis Management Initiative, with the EU Political and Security Committee informed. After consultation with the parties, the Chairman of the Board of Directors of the Crisis Management Initiative will make a ruling which will be binding on the parties.

CHAPTER 3

THE HISTORY OF FREE ACEH MOVEMENT (GAM) AND CHRONOLOGY OF CONFLICT

GENERAL

Before the achievement of peace between the Government of the Republic of Indonesia with the group of Free Aceh Movement, Aceh province is an area that is highly vulnerable, and dangerous due to the conflict between the two parties. The emergence of the Free Aceh Movement (Gerakan Aceh Merdeka/GAM), was originally due to feeling disappointed of Acehnese elites against the Indonesian government policy, they also (Acehnese leaders) felt he had been lied and less attention from the central government. Embryo of the Acehnese resistance against the Indonesian Government that initiated the uprising of Darul Islam (DI) / Tentara Islam Indonesia (TII) / Indonesian Islamic Army in 1953 under the leadership of Teuku Daud Beureuh. But the movement of DI / TII (Indonesian Islamic Army) in December 1962 can be resolved by means of dialogue, and peaceful by the government of Republic of Indonesian. At the time of the leadership of President Suharto in 1974, special autonomy has been given by the previous president (Soekarno) is revoked by the New Order government, its giving rise to disappointment in the Aceh community and coupled with the conditions of Aceh province that far behind the others in development. These disappointments finally became one and encourage the emergence of movement of the Free Aceh (AM/Aceh Merdeka) who on December 4, 1976 stated his opposition to the Indonesian government under the leadership of Hasan Di Tiro with the aim to separate themselves from the Republic of Indonesia and become an independent state.

THE HISTORY OF GERAKAN ACEH MERDEKA/GAM (FREE ACEH MOVEMENT)

Free Aceh Movement, or GAM is an organization (which is considered as separatists) who has the aim that Aceh or an area which had changed its name to Nanggroe Aceh Darulsalam /NAD separated from the Republic of Indonesia. Free Aceh Movement (GAM) was born because of the failure of the Darul Islam movement in the past. Darul Islam emerged as a reaction to the impartiality of Jakarta to formalization idea of Islam in Indonesia. Darul Islam is an ideology of Islamic resistance movement. For Darul Islam, the basis of the resistance is Islamic, so no sentiments towards other nations, even the Islamic ideology is the adhesive of the existing differences. This idea is also evolving in the Darul Islam movement in Aceh.

Before the birth of GAM, struggles of Aceh elite have shown a split. This is due to the emergence of sharp differences of opinion between groups of young and old groups. Old group led by Teuku Daud Beureuh wanted struggle lines of GAM having Islamic appropriate to the history and influence of the figure of the Darul Islam faction in the old group. While youth group led by Hasan Tiro wants GAM become the modern secular organization, the goal that can be quickly developed and became an international issue. To unify these differences, a series of meetings were held in order to achieve the vision of the unity of the people of Aceh, role of Teuku Daud Beureuh was very influential for the sake of struggle solidity in the internal of GAM. Teuku Daud Beureuh has great expectations on young Tiro, but on the other hand Tiro has its own ambition that continues to bring it into the more radical among GAM itself. To confirms of this effort then Teuku Daud Beureuh and members agreed the establishment of the Aceh government structure is a combination between old and young group. Supreme leader called Mufti's, its entrusted to Teuku Daud Beureuh himself, the Shura Council is

composed of four persons, and the Free Aceh cabinet consisting of 15 ministers, four officials of ministerial-level and six governors. Post of the State Guardian (Wali Nanggroe) is entrusted to Hasan Tiro, that in charge of running the government of Aceh merdeka (Free Aceh).

Conflict in Aceh, began to occur again during the New Order government in 1974 marked the birth of the Aceh Sumatra National Liberation Front (ASNLF), which later became the Free Aceh Movement, with the leader of Tengku Hasan Di Tiro. Teuku Hasan Di Tiro or Hasan Tiro is a figure that proclaimed Free Aceh group on December 4, 1976 by calling region as the State of Aceh Sumatra. During its development, the GAM has been through several stages/ important phases, namely:

1. THE FIRST PHASE IN 1976-1978.

On December 4, 1976 Hasan Di Tiro proclaim or declare a minor ideological organization whose members consist of the educated, the movement is still in the form of underground movement that organized in the interior Pidie, they call themselves the Free Aceh group and expressed opposition to the government of the Republic of Indonesia¹. This movement in a short time can be crushed immediately by the government by force.

2. THE SECOND PHASE IN THE DECADE 1980.

In 1980 - GAM's succeed to improve and strengthen again their political status and to strengthen the military wing of the Angkatan Gerakan Aceh Merdeka (AGAM)/Free Aceh Movement Force. In this period, partly of 400 cadres of GAM reported were sent to Libya for military training. In 1983, the strength of GAM in the field has been defeated by the Indonesian Armed Forces and Teungku Hasan Di Tiro and the other figures then escaped to foreign countries, one of them to Sweden and finally settle down and become a

¹ Edward Aspinal, Sejarah Konflik Aceh, 11 May 2008

Swedish citizen. Although he is outside the country but Hasan Tiro still continue to develop thinking and lead of GAM (Free Aceh Movement).

3. THE THIRD PHASE OF 1989.

The GAM guerrillas have conducted military training in Libya since 1986, appeared again in Aceh and also followed by the consolidation of the command structure of the Free Aceh Movement (GAM) in Aceh. To face the GAM strength then Government took a very militaristic policies by conducting military operations with the codename "Operation Red Net" and gives the status as DOM (Daerah Operasi Militer/Area of Military Operations) in Aceh.

4. THE FOURTH PHASE.

The popularity of the Free Aceh Movement (GAM) in the eyes of the Acehnese people is increasing, this is because almost all the families in the Pidie area, North Aceh and East Aceh suffered because of military operations launched by the Indonesian Armed Forces. At the time high leaders of GAM was in Sweden, while the middle leaders, troops and members and supporters were in Aceh. Leadership structure is divided into two parts, the civil administration and the military structure, which is technically a military structure subject to the civilian government. The civil administration composed based on Hasan Tiro's interpretation of the structure of government in the Sultanate period of Aceh. Hasan Tiro established him self as a top leader in Aceh as "*Wali Nanggroe*".

5. THE FIFTH PHASE OF MID 1994.

Mid-1994 had been a splits in the organization of GAM, where GAM officials based in Kuala Lumpur defected from the GAM leadership based in Sweden. It seems that the main difference between these two factions of GAM is the form of Aceh government after independence. Hasan Di Tiro prefer a monarchy with himself as the Sultan, while

the Kuala Lumpur group requires a modern Islamic republic. Hasan Di Tiro who claim to be descendants of the Aceh Sultan to get the support of most of the power of GAM operating in the province of Aceh.

CHRONOLOGY OF THE CONFLICT AND ACHIEVE OF THE PEACE

The process towards the achievement of a peace agreement between the Indonesian government and the Free Aceh Movement (GAM) is long and winding. Various efforts and actions have been taken by the Indonesian government in order to realize peace in Aceh, but always find failure. The journey towards the realization of peace is quite hard and not easy, has many casualties both from the military, separatists and civil society. After approximately 30 years of the conflict lasted, finally peace that aspired by the people of Aceh and the Indonesian people in general can be realized. As for the process of Aceh conflict and reaching the peace agreement between the Indonesian government and the GAM (Free Aceh Movement), as follows:

1. The fact of History mentions that the people of Aceh have much to contribute both economic support and moral to the Republic of Indonesia, from the Dutch colonial until the Japanese occupation. How big the contribution of the people of Aceh, President Sukarno ever mentions that Aceh as the capital area from a whole struggle of the people of Indonesia, Sukarno even promising it will impose Islamic law in Aceh. But after independence, in which the Netherlands as well as the Japanese had left Indonesia the promise is not fulfilled, Aceh is included as part of North Sumatra province, of course this makes Teuku Daud Beureuh and the Acehnese are very disappointed. This condition is exacerbated by the emergence of the issue of the "Black List" which contains the Acehnese figures including Teuku Daud Beureuh therein, who would like to be removed by the government. So that this condition cause a very deep disappointment in Teuku Daud Beureuh himself that has been a lot assisting the Indonesian government. This

disappointment eventually culminate a rebellion movement of Darul Islam / Islamic Army of Indonesia (DI / TII) which occurred in 1953, The main motive of this movement emergence because of a sense of disappointment against the central government's policy to people of Aceh

2. On May 26, 1959, the rebellion of DI (Darul Islam) / TII (Islamic Army of Indonesia) can be terminated by the government and finally the government granted Aceh status as Special Region with wide autonomy, especially in the fields of religion, customs and education. Granting of special autonomy was passed through Laws of the Republic of Indonesia number 18 of 1965.

3. In 1974, during the era of the New Order government of President Suharto, the government repealed the Laws number 18 of 1965 and replace it with the Republic of Indonesia the Laws No. 5 of 1974 concerning the principal of local government. Revocation Laws number 18 of course cause back disappointment to the people of Aceh and finally encourage the emergence of the ideas to form the State of the Free Aceh.

4. Conflict in Aceh, began to occur again in the new order, which is marked by the birth of the Aceh Sumatra National Liberation Front (ASNLF), which then became the Free Aceh Movement. And the existence of some disappointment that arise as a result of government policies that are less sympathetic to the people of Aceh, so it accumulates and has contributed to the emergence of the Free Aceh movement. Then this condition is used by Teuku Hasan Di Tiro to declare Free Aceh organization and expressed his opposition to the Indonesian government. Declaration of Free Aceh was conducted on December 4, 1976 with the aim of freeing Aceh from all forms of political control of foreign and Indonesian government. At that time Free Aceh Movement led by Hasan Di Tiro, it has a membership of 150 people. Hasan Tiro want Aceh organization became a modern and secular organizations, while the older group chaired by Teuku Daud Beureuh want lines

of GAM struggle based of Islam law according to the history and influence of the Darul Islam figures.

5. In the time of the New Order government, many construction of large companies that opened in Aceh, among others, the construction of LNG factory, a fertilizer factory of Iskandar Muda and paper mills, even Indonesia became one of the largest LNG Exporters State in the world's. Aceh Province produces many of foreign exchange for countries, but only a small portion returned to Aceh, in 1993 Aceh can generate foreign exchange of Rp 6,644 trillion, but only 453.9 billion were returned to Aceh. Thus resulting Aceh far behind when compared to other provinces and make Acehnese people increasingly disillusioned with the central government. Awareness of the Acehnese about the central government injustice in Aceh, then used by GAM to influence the people to revolt and fight the government.

Many companies operating in the province of Aceh, then used by GAM to collect taxes illegally from the companies for improving its strength.

6. The existence and action of Free Aceh group which was declared on December 4, 1976, immediately get hard response from the Indonesian government through the Indonesian Armed Forces. And simply the military can immediately destroy the movement, because at that time still a little GAM supporters. With the presence of firm action from the government then finally the figures of Free Aceh declaratory Hasan Di Tiro and some of his followers escaped out of the country and settled in Sweden became Swedish citizen.

7. In 1989, emerging movement for justice in development and protest negative effects of industrialization. By the Indonesian government's this movement called security intruder movement, but in fact this is the maneuver of the Free Aceh group, and the government considers this movement has hampered the development process. To crush the movement, in 1989 then the government carry out military operations and give the status of

Military Operation Area (DOM/Daerah Operasi Militer) to Aceh. Implementation of Military Operations Area in Aceh runs until 1998.

8. After the collapse of the New Order era of Soeharto era and the beginning of the reform order, then on August 7, 1998 during the reign of BJ Habibie DOM status was revoked in Aceh. The revocation should be able to bring a better situation for the people of Aceh, but the situation is not as expected. Revocation is not followed by rehabilitation of victims of the DOM, so the wounds of the Aceh people have not healed, economic condition, social, and legal in Aceh was not fixed yet by the government. So that this situation be reused by the GAM to attract public sympathy, and finally the influence of the GAM was getting stronger.

9. In order for the condition and the situation is getting better in Aceh after the revocation status of the DOM, the government passed legislation of the Republic of Indonesia Number 22 of 1999, concerning local government in Aceh, which gives status to Aceh province as the Special Region.

Issuing this legislation is expected to be able pull back the sympathy of the people of Aceh. To further strengthen Laws No. 22, 1999, then the government a follow up with issued the laws of the Republic of Indonesia Number 18 of 2001 on the granting of special autonomy to Aceh Special Region. With the end of the New Order era and changed the reform era, it approached to the GAM any change as well. After the revocation status of DOM in Aceh, the military operation was a little loosens. In addition to using a military approach, the government is using the negotiations lines of GAM, during the period 2000 to 2002 has been carried out several times for talks towards a peaceful way but it always ended in failure because the two sides are still insistent with their respective wishes. Examples on May 12, 2000 President Abdurrahman Wahid took the initiative to have an agreement with GAM in Geneva, where in the agreement represented by the Indonesian Ambassador or Permanent Representative to the United Nation Dr. Hassan Wirajuda

while representatives of GAM Dr. Zaini Abdullah. But the GAM parties continue to demand independence in Aceh, and it was opposed by the central government, as the result the negotiations was always deadlocked.

10. Follow up several meetings that have been conducted with facilitators Henry Dunant Center (HDC), finally on December 9, 2002, was reached CoHA (Cessation of Hostilities Framework Agreement) is an agreement that is intended to put an end to the escalation of the armed conflict that reached four specific agenda. But in January 2003 has begun to appear that the road to peace is really challenging, especially in the first two months. A lot of thing depends on the skill and wisdom of the Joint Security Committee (JSC) under the control of Major General Thanungsak Tuvinan of Thailand and his deputy Brigadier general Nogomora Lomodag of the Philippines. Not long after signing the agreement, until the date of December 30, 2002, had occurred 50 battles between the forces of GAM and the Indonesian security forces (Indonesian armed forces and police). Coupled with the emergence of the issue of the refusal of the GAM for the presence of observers from the Philippines in the JSC. GAM assess the Philippine representative could not stand neutral because the Philippine government engaged in combat with Moro movement who want to separate themselves, and also because Indonesia had been a mediator for the peace agreement between the Philippine government and other separatist groups in the country in 1996. In addition to the several violations committed by both sides, GAM always betray² and exploit this condition to develop its military wing and recruit new members as well as other actions that lead to the failure of implementation of this CoHA. To overcome these failures finally President Megawati Sukarnoputri issued Presidential Decision No. 28 Year 2003 on State of Emergency Declaration By Level Military Emergency in Aceh province.

² S.Wiryono(anggota tim dialog Indonesia-GAM), "Konflik Aceh Jalan Panjang Menuju Perdamaian", http://www.kbri-canberra.org.au/s_issues/aceh/articles/articles_jalanpanjang.htm, 5 NOV 2013

11. After the military emergency lasted for one year, then president Megawati issued a President's Decision number 43 of 2004 Regarding Statement of Changes in Status of the State of Emergency from A state of the military's emergency become Civil Emergency in the Aceh province. And followed up with the President's decision number 17 dated June 1, 2004 on the implementation of integrated operations in situations of civil emergency.

12. On December 26, 2004 the Tsunami hit Aceh Provincial, thus making the international community's attention turned to Aceh as the region most severely affected by the Tsunami. International world flocked were putting humanity donations to disaster victims. In the first ten days the amount of international aid to Aceh to reach U.S. \$ 2 Billion. Reconstruction efforts must be done on a large scale, government entrusted to BAKORNAS (Badan Koordinasi Nasional/National Coordinating Board) chairman Vice President of Jusuf Kalla. Meanwhile, in addition to conducting post-tsunami reconstruction, the government continues to negotiate with GAM, with the hope of a lasting peace achieved so reconstruction can run well. In the Governing of Susilo Bambang Yudhoyono and Jusuf Kalla has been a change in the fundamental approach to resolve the conflict in Aceh by reactivating the dialogue between the two parties. Vice President of Jusuf Kalla become an important actor in this process. In these negotiations the government offers special autonomy proposal, but from the beginning GAM has only two objectives, namely the achievement of a ceasefire and protection of international humanitarian assistance programs and reconstruction of Aceh after the tsunami. Whereas in government side, the stronghold of "hard-line" represented by TNI Commander General Endriartono Sutarto asked the government to never hesitate to take stern action against GAM if efforts to achieve a peaceful solution through negotiations fail.

13. After going through a long negotiation process, reaching five rounds in Helsinki, and facilitated by the International NGO Crisis Management initiative (CMI) led by former President of Finland Mr. Martti Ahtisaari, GAM began to show his good faith

by stop the desire to separate themselves from the Republic of Indonesia, and GAM-Government Indonesia negotiations began to show progress. Finally agreement that awaited, on August 15, 2005 signed the Memorandum of Understanding (MoU) between the government of Republic of Indonesian and GAM (Free Aceh Movement). Minister of law and human rights Mr. Hamid Awaluddin stated that the MoU consists of two major lines, namely a matter of principle and substance problems.

The first principle, the MoU is a peaceful settlement of the Aceh problem, thorough and dignified.

The second principle, negotiations and settlement of the Aceh problem is done an honest and democratic in constitutional and framework of the Republic of Indonesia.

The third principle, a peaceful settlement is done to facilitate the rebuilding of Aceh after the tsunami.

After the peace August 15, 2005, Aceh has the right to self-governance implementation based on special autonomy, the right to make Aceh Governance Law, the right to establish Local Party for General Election at Province level, entitled to ration 70% of revenues in the oil and gas sector, and former GAM members got amnesty and reintegration into society.

CHAPTER 4

ANALYSIS AND LESSON LEARNED

GENERAL

Based on the theory of conflict, and some experts opinion the Aceh conflict that occurred between the Indonesian government and the Free Aceh Movement, can be categorized as vertical conflict is the conflict between the government of Indonesia as a state and a group of free Aceh movement as a society. The conflict in Aceh province has been going on for decades and has caused many casualties on both sides in the conflict. The Aceh conflict is very difficult to resolve on peacefully way because both warring sides remained firm against the wishes of each, although it has been several times carry out an efforts to reach a peace agreement, but always fails and there is no meeting point. Finally the government of Republic of Indonesia for the second time to ask for help a third party / mediator to resolve the Aceh conflict peacefully. The role of third parties in The Aceh conflict resolution is very necessary because the Aceh peace agreement that has been carried out several times by both conflicting parties always find failure. With the intervention of a third party as a facilitator or a mediator the results are quite significant, as shown by the success of non-governmental organization International Crisis Management Initiative (CMI) to facilitate / mediate the Indonesian government and the Free Aceh movement groups (GAM) to reach a peace deal and succeeded in making the Memorandum of Understanding (MoU) of peace through dialogue.

DATA ANALYSIS

The conflict in Aceh province between the Indonesian government and the Free Aceh Movement Group can not be reviewed or analyzed on one factor or one point of view, but must be viewed from a variety of factors / angle, so that eventually will be found that the main root of the problem, which led to an uprising of rebellion in the Aceh province. Analysis from various viewpoints or factor is necessary, with the hope of result in an analysis and provides an overview of the real root of the problem. In understanding the Aceh conflict should be understood that the Aceh conflict is a multidimensional conflict, the conflict is not only caused by one factor alone, but caused by a variety of factors. Political factors, economic, social and culture as a whole to contribute to the emergence of the complexity of the conflict in Aceh. Understanding of the conflict in Aceh should be done through a comprehensive approach of various factors, such as factors of history, politics, economics, culture and law.

1. THE HISTORY FACTORS

Prior to the Aceh conflict on a large scale, small-scale conflicts have occurred in the province of Aceh, starting with the DI (Darul Islam) / TII (Islamic Army of Indonesia) in 1953, led by Tengku Daud Beureuh, but is not protracted conflict because in 1959 the government can resolve the conflict by peaceful means, by giving Aceh as the Special Region with wide autonomy, especially in the religious sector, custom and education, which ultimately strengthened with the issued of laws of republic of Indonesia number 18 of 1965. Why do DI (Darul Islam) / TII (Indonesian Islamic Force) appears in Aceh? this as due to dissatisfaction / disappointment Acehnese in this case Teungku Daud Beureuh to central government policy against the Aceh region, coupled with the issue of "Black List" which includes of prominent figures of Aceh will be removed by the central government of Indonesia, including Tengku Daud Beureuh. Though Teungku Daud Beureuh is one of the Aceh figures who have helped the Indonesian government in the fight against the invaders.

At the time of the struggle in the fight against the invaders, the president of the Republic of Indonesia Mr. Soekarno also promised to give freedom to people of Aceh to implement Islamic Sharia / Islamic law in Aceh. But the reality of these promises were never fulfilled by President Soekarno and even make Aceh as part of the province of North Sumatra, of course, this decision makes heartache and deep disappointment in Acehese society which eventually gave rise to rebellion Darul Islam / Islamic Army of Indonesia (DI / TII), to fight the Indonesian government.

2. THE ANTHROPOLOGY FACTORS

From an anthropological perspective of the Aceh conflict arises because of the marginalization of the cultural identity of the Acehese who has been running for decades. Aceh Known as the province has a special characteristic, which has social and religious identity strong. One of the reasons for the uprising of Tengku Daud Beureuh rebellion, Tengku Daud is the desire to implement Islamic law in Aceh land that is not permitted by the central government, as it has been approved by the previous government when it was led by the president Soekarno, when the crushing the rebellion of DI / TII. However, the new order Government issued another policy that again and again made the disappointment of the Acehese, with the repeal the laws of the Republic of Indonesia number. 18 of 1965 and replace it with the laws of the Republic of Indonesia number. 5 of 1974 on the principal subject of local government. Laws Number. 5 of 1974 makes uniformity in all regions, regardless of the local values, which of course it will automatically remove the privilege of Aceh. Islamic law has become a characteristic of the Acehese people will be eliminated gradually and eventually disappear because of the traditional institutions which had long been in the Aceh province will be replaced with the modern governance organizational structure desired by the New Order government. These events add to the frustration of the people of Aceh to the Central Government increased.

3. THE ECONOMIC FACTORS

Economic factors also be one causes of emergence of the rebellion in Aceh Province, which is done by the Free Aceh Movement (GAM). During the New Order government, government policy focused on the development with based on economic growth and political stabilities. Natural resources exploitation in the province of Aceh by construction of the factory of the LNG and Iskandar Muda fertilizer, in its heyday Indonesia is one of the largest country's LNG exporter in the world, while 90% production of Iskandar Muda fertilizer factory its destined for export. This such conditions should be able to improve the welfare of the community in Aceh, but the reality is not so, the life of Acehnese society is still far below average, and even according to the National Bureau of Statistics in 1993 showed that of whole region on the island of Sumatra, Aceh is the province that has the most poorest areas as many as 2,275 poor villages in Aceh, while large industrial industry many built in Aceh. This is due to the government policy of centralization, where all production is sent to the central area and only a small portion is returned to the area (Province). Of course these conditions, making the Acehnese people getting upset and they are aware of the injustice done by the central government of Republic of Indonesia. Such a situation then is used by the group of Free Aceh Movement to invite people of Aceh to fight against the central government, and also to increase the strength and presence of GAM in Aceh province.

4. THE POLITICAL FACTORS

Government systems are centralized in New Order era, making Acehnese lack of freedom in the political sphere, in particular to make choices in the general election. Acehnese people just follow the provisions that have been outlined by the Indonesian central government, without having a strong bargaining position, consequently the people of Aceh only serve the interests of the center with political and economic exploitation.

With a government system of centralized, the central government has set up a network of local elites who become accomplices of the central government and has provided a profit on elite of central government. With these conditions, the disappointment of the Acehnese to the centers larger, and became one of the root problems that contribute to the emergence of the conflict in Aceh province.

5. THE SOCIAL FACTORS

From a sociological viewpoint, the Aceh conflict as a result of not harmonious relationship between Aceh and the central government of Indonesia and the lack of good lines of communication between both parties. Disharmony between Aceh and the central government of Indonesia has started since the reign of President Soekarno and continued on President Soeharto with the implementation of the centralized government system. And also the concerns the central government towards Aceh, due to Aceh is a province that has a regional identity, ethnicity and nationalism are strong. Disharmony relationship between Aceh and the central government of Indonesia eventually trigger the emergence of the two the rebellion, the rebellion of DI (Darul Islam) / TII (Islamic Army of Indonesia) and the rebellion of Free Aceh Movement (GAM).

6. THE GEOGRAPHIC FACTORS

Aceh is located at the western tip of the Unitary Republic of Indonesia, the position is far from the central government and has many natural resources are very the abundant, the areas is rich with the natural gas reserves, which makes Indonesia as one of the country's largest LNG exporter in the world. These conditions make the Acehnese people feel feasible for independence and separate themselves from the Republic of Indonesia which was unfair to the people of Aceh, especially during the reign of the new order government with the a centralized governmental system. The people of Aceh also considers that Aceh can stand alone without having to join with The Republic of Indonesia (Central Government) with the all the wealth and natural resources avail. Aceh is a very strategic position close to the Strait of Malacca, this is also one of the factors that lead to the

Aceh People want to separate from The Republic of Indonesia, and stand alone as the Freedom Country. Acehnese people think that the Malacca Strait is a waterway that is used as a trade traffic fairly heavy, so it will generate a lot of income for the Aceh region if it has a separate from Indonesia.

From the analysis of several perspectives / factors above, a conclusion can be drawn that the main root of the problem of the uprising is the result of the frustration of the people of Aceh to the treatment of the central government of Indonesia which is not fair to the people of Aceh, especially in the economic field, not the implementation of Islamic law as the basis of government at the Aceh areas that are characteristic and distinctive communities of Aceh as well as the process of friction between the local elite of Aceh and elite central, ranging from the beginning of independence until the New Order government. And finally the peak of disappointment of Aceh people, became an initiative of insurgency emergence that in the early establishment a group calling themselves as the Free Aceh and then transformed into the Free Aceh Movement (GAM), which was declared on December 4, 1976 by Teungku Hasan Di Tiro as the initiator, with the primary objective independent and separate themselves from the State unitary republic of Indonesia to establish the State of Aceh.

Based on the explanation above description of events, it can be concluded that the policy of the incumbent government at the time, prefer the use of policies that is repressive, with military force on a large scale than the use of persuasive policy through the path of dialogue to cracking down on the Free Aceh movement. But the policies that is militaristic in fact not be able to resolve the conflict by peaceful means, and even the military operation that have taken place about three decade has caused thousands of civilian casualties of innocent Aceh people. During military operations, many human rights violations that have been conducted by both sides against the people of Aceh, either by military personnel as well as by members of GAM (Gerakan Aceh Merdeka/Free Aceh Movement). A large number of civilians of Aceh who died due to conflicts between the

Indonesian Armed Forces and GAM increase hatred of the Acehnese to the Indonesian government, this is as the cause one of their family have been killed by military, and then this condition is used by GAM to attract the sympathy of the people of Aceh to be more supportive of Free Aceh Movement (GAM) and finally it can increase the popularity of the GAM amongst the population.

The conflict between the Indonesian government and the Free Aceh Movement unavoidable, until the fall of President Soeharto and the end of the New Order government was replaced by reform order government.

Conflict solution to use military force was not able to bring about peace, however the use of military force would be extend the conflict, and makes the conflict more complicated and also caused many casualties on innocent civilians. Finally, during the reign of the reform, the government try to defuse the conflict by changing the approach of the first approach is repressive became persuasive approach with emphasis on dialogue, and then followed up by the lifting of the Status of the Military Operation Area (DOM) in Aceh on August 7, 1998. After the expiration of the new order era and the lifting of status of the Military Operation Area (DOM) in Aceh, the government continues to strive for peace and recovery in Aceh. And keep trying to have a dialogue with GAM in order to resolve the Aceh conflict by peaceful means, in addition, the government also seeks to enhance and improve the condition of Aceh by providing the Aceh status as a Special Region through Laws of Republic of Indonesia number. 22, 1999. This law as Recognition a privilege of Aceh province that based on the history of the National Independence struggle, with the privileges contents such as the implementation of religious life, customs and education as well as attention to the role of Ulama/scholars in setting local policy, (Ulama is nickname for religious leader of Islam who is respected by the Muslim community). In 2001 the Indonesian government re-issued Laws of Republic of Indonesia No. 18, to give the Special Autonomy for Aceh Province. Conferment of Special areas status and special autonomy to Aceh province, it had contributed to dampen the volatility of the Acehnese to ask for independence and separation from the Unitary

Republic of Indonesia, because on the law no. 18 had accommodate the four major aspects which include religious aspect to acknowledge the strong Islamic influence in Acehese society, the cultural aspects of adopting it to the system of government, the political aspect which gives the right to make up qanun / laws are based on Islamic law with the exclusion of other laws, that's more general, and the last is the financial aspects by providing a portion of 70% for Aceh province from sale of oil and gas are produced by the Aceh region.

In the reform era, the government has changed the repressive approach with militaristic way to resolve the Aceh conflict with persuasive approach through the path of dialogue for reaching a peace agreement, and also open themselves to invite a third party as a mediator to resolve the Aceh conflict. Some negotiations had been conducted by the Indonesian government in order to create peace in Aceh, ranging from dialogue to end the violence called "Humanitarian Pause" held on 2000 in Geneva, when the government of President Abdurrahman Wahid, up to dialogue CoHA (Cessation of Hostilities Framework Agreement) were signed on December 12, 2002, when the government of President Megawati Soekarno Putri. At the beginning of this dialogues have produce positive results and provide hope to reach of peace in Aceh province, but in the end the dialogue and this agreement has been reached always deadlocked and ended in failure. This occurred because each party remains at each his desire, especially GAM remains with the his desire for independence and separate from the Republic of Indonesia, which of course it is get very hard rejection from the Indonesian government. As well as CoHA agreement that initially have been running smoothly according to the agreement but did not run long, because in the field was still a battle between the rebels and security forces of Republic of Indonesia and both parties are also considered less serious in implementing of CoHA. The CoHA Failure also is caused by the denial of GAM for presence of observers from the Philippines in the JSC (Joint Security Committee). Free Aceh Movement (GAM) considers that the representative of the Philippines is unlikely to applicable neutral because the Philippine government involved in the fighting with Moro movement who want to separate themselves from the Philippine government. Also because of Indonesia had been a mediator for the peace agreement between the Philippine

government and the separatist group in 1996. In addition there are several violations conducted by both parties, GAM also always betray and exploit this condition to develop its military wing and recruit new members as well as other actions that lead to the failure of the CoHA implementation. The peace agreement finally meet the same fate as other agreements that have been reached before, deadlocked and failed.

In order to keep the security situation in Aceh safe finally the government of President Megawati Soekarnoputri re-issued Presidential Decision No.28 Year 2003 on Statement of State of Emergency With Level Military Emergency in Aceh province. The state of military emergency status running for about one year. Due to the security situation in Aceh is considered his condition is improving, the government then changed the status of military emergency into civil emergency status, which is followed up by an integrated operation in June 2004, with the goal of rebuilding Aceh has been devastated by the decades of conflict between the Indonesian government and the Free Aceh Movement.

Tsunami disaster that occurred on December 24, 2004 had destroyed and brought disorder to the Aceh province, and resulted in about 200 thousands deaths and missing. As a result of the tsunami, all the International world's attention focused to The Aceh province, because Aceh is the worst region hit by the tsunami waves. In order to restore the conditions of Aceh that have devastated hit by Tsunami waves, the government continues attempt to conduct a massive reconstruction, in addition to conduct the reconstruction, the government also continues to negotiate with GAM, with the hope it will reach of a lasting peace agreement so that the reconstruction process is being conducted in Aceh could be running properly and smoothly. Momentum of Natural disasters of earthquake and tsunami waves that hit Aceh has been growing awareness of both sides to immediately end the conflict that has been ongoing. Also the pressure of the international community in other both parties to immediately end the conflict, so the humanitarian aid that given to Aceh province can proceed smoothly. During the reign of President Susilo Bambang Yudhoyono, the government re-intensified dialogue and offer special autonomy to Aceh province. Initially the offer was rejected by the Free Aceh Movement (GAM), but after

going through several rounds of negotiations mediated by the International NGO named Crisis Management Initiative led by former president of Finland Mr. Martti Ahtisaari, finally Free Aceh Movement (GAM) began to show good faith by stopping his desire for independence and separation from the Republic of Indonesia. And also the lack of support from the international world of GAM desire for Freedom and separated from the republic of Indonesia. Finally the negotiations demonstrate progress with the signing of a Memorandum of Understanding (MoU) between the Government of the Republic of Indonesia and the Free Aceh Movement to end the conflict and bring about peace in Aceh. The peace agreement can be achieved because the awareness of on both sides to more priority to interests of the people than of the respectively interests. Beside to the awareness of among both parties, the existence of a third party as a mediator is also very an important role in the achievement of a peace agreement between the Indonesian military and the Free Aceh Movement (GAM), as mention on the conflict theory that to resolve the conflict in order to achieve a lasting peace can be done in various ways one of them by using a mediator role.

From the above description can be drawn a conclusion that the achievement of peace in the province of Aceh because of the awareness of both parties to more priority to the interests of the people, and the desire to create a better situation in Aceh. GAM sincerity to change of his desire from the Independence become receiving special autonomy and government policy by giving special autonomy and give a decision for the application of Islamic Sharia / Islamic law in Aceh province. And also openness Indonesian government and the Free Aceh Movement to accept a third party as a mediator in resolving conflict and bring about peace. The role of third parties as mediators also encourage the establishment of peace in Aceh province. The establishment of peace in the province of Aceh will give a lot of benefits, especially for the GAM, because GAM will receive compensation from the government in the form of forgiveness (amnesty), restoration of political rights, and reintegration to society. And on the contrary if GAM remains with the desire for independence and conducted of armed resistance, then peace in

the Aceh province may not materialized. The armed Resistance that has been done by GAM so far never give satisfactory results and do not provide benefits for the people of Aceh and GAM itself, on the contrary a lot of harm and hardship on people of Aceh, as well as the position of GAM in Aceh increasingly pressured by the resistance of the Indonesian National Army. Conflict resolution by way of the dialogue will provide a lot of a solution to achieve peace than resolution with the armed resistance, which was not able to resolve the conflict, even it will create resentment and make other conflict more complicate, use soft power is better than hard power to resolve the conflict.

LESSON LEARNS FOR THAILAND

As we all know that the Thai government is still facing internal conflict in the form of armed separatists in southern Thailand, although on 28 February 2013 was the signing of the process towards the establishment of peace between the Government of Thailand with one of the rebel groups in terms of the BRN (Barisan Revolusi Nasional), but violence armed still going on southern Thailand.

This happens because in South Thailand there are several rebel groups that may create unsafe conditions because it was not invited to the dialogue by the central government of Thailand. While the existence of BRN (The Barisan Revolusi Nasional) are already doing the dialogue with the central government of Thailand, the possibility is not considered yet or do not represent all the groups that are in the South of Thailand now. Therefore, to realize a peaceful condition in southern Thailand it is necessary to follow up the efforts of the peace process towards a comprehensive peace. Resolution of the Aceh conflict between the Indonesian government and the Free Aceh Movement (GAM) can be used as a valuable lesson for the government of Thailand in order to resolve the armed conflict in southern Thailand. The lessons learned are as follows:

1. Military operations and the application of a military operation area (DOM) in the province of Aceh by the Indonesian government in order to resolve conflicts, to achieve peace were never realized. This indicates that the military operation is not a good way to resolve the conflict. Military operations would be better if emphasized on

humanitarian operations, and integrated with other operations that are helping local governments, such as helping the operation in the economic, social, education and development of infrastructure. So Thailand can obtain a valuable lesson that a military operation is not the best way to resolve the conflict, particularly internal conflicts in the face of armed separatist groups. Even the implementation of military operations will further enhance the strength and cohesiveness of insurgents group. As well as increasing public sympathy and support to the rebel group, which will strengthen its position as a defender of the people that oppressed by the government. It will be better if military operations aimed for humanitarian operations, helping local people who suffer as a result of the ongoing conflict.

2. The cause of the conflict in Aceh was not caused by one factor alone, but as a result of several factors that influence it, including economic factors, cultural factors, political factors and social factors, thus causing insurgency and finally become conflict. From these events, the lessons that can be taken by the Government of Thailand that the resolution of a conflict must be viewed from a variety of factors / viewpoints that would be obtained comprehensive peace. Whether it's of historical factors, cultural, political, economic and social.

3. The Aceh conflict resolution, which has been achieved by the Government of Indonesia and the Free Aceh Movement (GAM) can not be separated from the presence of a third party as a mediator / facilitator, whose existence was approved by both parties. So as to resolve the conflict in southern Thailand, the Thai government must be willing to open themselves to receive a third party, in this case can the NGO (Non Government Organization) or a personage/figure as a mediator in resolving the conflict in southern Thailand, where the mediator is trusted, respected by both parties to the conflict and not in favor to one of conflicting groups (must be neutral).

4. The realization of a peace agreement between the Government of the Republic of Indonesia and the Free Aceh Movement, because of the awareness of both sides are more concerned with the interests of the people and take extraordinary policies to promote the interests of the people. From these events the Thai government can obtain a very valuable lesson to prioritize the interests of the people than the interests of the parties in bringing about peace in Southern Thailand. For example by giving special autonomy to the region of Southern Thailand, or giving authority to southern Thailand's Muslim-majority to use Islamic law as the basis of government in Southern Thailand, by staying within the framework of State of Thailand. This as one manifestation of respect for the local values.

5. After more than twenty years of conflict, finally resolution of the Aceh conflict can be resolved through the dialogue way, although the process is quite long and a lot of challenges and obstacles. From the above description the Thai government can take a conclusion that the dialogue is an excellent way to bring peace and resolve conflicts, although the process is quite long.

6. The root problems of rebellion in Aceh province, initially starting with the emergence of feeling disappointed of Aceh people to the Indonesian central government actions, that is not justice and does not respect of local values. As well as so many civilian of Aceh dead as the result of military operations and implementation of the Area of Military Operations in Aceh. From these events lessons learned by the Thai government is to always be just to the community and also always respecting to the local values or culture of southern Thailand are quite different from the majority of Thai society. And changing patterns that are militaristic approach prior to the formal approach through dialogue and mutual respect.

CHAPTER 5

CONCLUSION AND RECOMMENDATION

CONCLUSION

The purpose of this paper is to examine “How the conflict that has been going on for decades between the Indonesian government and the GAM (Free Aceh Movement) can be resolved by peaceful means”? based on these problems the research questions addressed in Why is the conflict between the Government of the Republic of Indonesia and GAM (Free Aceh Movement) occurred? and How to achieve peace process between the Government of the Republic of Indonesia and GAM? From a few the explanation above can be drawn a conclusion that the conflict in Aceh, beginning with a sense of disappointment in the local elite and the people of Aceh on the Indonesian government policies granted to Aceh Province as well as the issue of "black list" Acehnese leaders who will be eliminated by the government, also did not impartiality the central government to the interests of the people of Aceh. Acehnese disappointment started by not the implementation of Islamic law in Aceh, as has been promised by president Soekarno during the struggle against the Dutch colonialists, thus resulting in the emergence of DI (Darul Islam) / TII (Islamic Army of Indonesia). The insurgency of DI / TII does not run long as it can be immediately crushed by the Indonesian government peacefully through the provision of special regional status and autonomy to Aceh, followed by issuing republic Indonesian laws number 18 of 1965 concerning the provision of special regional of Aceh.

During the New Order government, under the leadership of president Soeharto, the government repeal Laws of Republic of Indonesia Number. 18 of 1965 concerning the status of Special region of Aceh and replace it with the laws of Republic of Indonesian

number 5 of 1974 on the principal subject of local government, of course the repeal of this laws makes Acehnese very disappointed because the repeal of this law, it will make the privilege Aceh, characteristics and culture of the Acehnese people who are affected by the strong Islamic religion will slowly disappear and the use of Islamic law in Aceh will disappear too due to be replaced by new legislation rules that equated to area or other provinces. This disappointment finally contributed to the emergence of the idea of the establishment of the State of Aceh stand-alone, separate from the unitary State of republic of Indonesia, which on December 4, 1976 declared by Tengku Hasan Di Tiro by forming organizations of the Free Aceh with the main goals independence. The movement of this organization is still enclosed in the form of an underground movement, which can easily be eradicated by the government through military force, because it is still small and not yet popular among the people of Aceh. In 1980 the Free Aceh group managed to increase strength and widen its organization, of course this is get resistance from the Indonesian government. New Order government continues to eradication of the rebel movement by deploying military forces, and in 1983 Tengku Hasan Di Tiro as the leader of the Free Aceh increasingly pressured and finally escaped to abroad, as well as some of his followers there who have fled out the country and also in the country. In the same period the group of Free Aceh movement (GAM) has also managed to send some members to Libya for military training.

New Order government policies focused on economic development and industry sectors, so that in the province of Aceh built several industries which include fertilizer industry, paper industry and also oil and gas exploitation, so that Indonesia was ever become one of the country's largest gas exporters in the world. This condition should make increased the level of the Acehnese economy, but on the contrary the people of Aceh economic level does not increase, and the number of poor families in Aceh still a lot compared to other provinces. Again and again of these conditions make Acehnese disappointed and hurt over the Indonesian government's actions are not fair to Aceh. This condition then is used by the Free Aceh Movement to gain sympathy and support from

the community in order to realize the goal of independence and separation from the republic of Indonesia.

In 1986 several members of GAM have conducted military training in Libya returned to Aceh, and their conduct disorders security by attacking the military posts, police posts and sabotage to oil and gas industry, in order to create security conditions in Aceh province is not stable (Unsafe). The Indonesian government calls the bully group as security disruptors movement (GPK), but actually this is the maneuvers of the Free Aceh Movement members who just returned from Libya. In addition to performing security disturbances, they also were forcibly requested taxes illegally from industry located in the Aceh province with the aim of strengthening the position and existence. Of course this situation immediately got a response from the government by conducting a military operation codenamed "Operation of Red Net" and gives the status of Aceh as the Military Operation Area (DOM) which began in 1989 until the end of the reign of the new order in 1998. As a result of military operations in Aceh, many fell victim either in the military, GAM (Free Aceh Movement), and civil society are not involved directly in conflict between TNI (Indonesian Armed Forces) and GAM. The many civil society who are victims and suffer as a result of military operations, especially in the area of Pidie, East Aceh and North Aceh, creates a feeling of resentment in people whose relatives became one of the victims of the military operation, the condition then is used again by GAM to increase its popularity in the face of the people of Aceh, and trying to influence the people of Aceh to take the fight to Government of Indonesia.

In 1998 the Indonesian domestic security conditions are not stable with the presence of political turmoil and massive demonstrations by the people of Indonesia with the aim to overthrow New Order government which is considered authoritative. And finally demonstrations by the people of Indonesia have managed to overthrow the government of new order and replace it by government called government of reform. In

order to maintain the security situation remain conducive and stable then The President of Republic of Indonesia Mr. Soeharto ruling at the time, finally resigned and Mr. BJ Habibie, whose position as vice president appointed as the President. BJ Habibie as President of the Republic of Indonesia and then revoke the status of military operations region (DOM) and an end to military operations in Aceh province, as well as giving the status of Aceh's province as the Aceh preferential Region through Presidential decision number 22, year 1999. This is conducted in order to take care of the Acehnese who have long suffered due to the implementation of the military operation in Aceh province and expected conditions would be better. Then in 2001 was reissued the president decision number 18 by giving the specialist autonomy to Aceh province, other than the Government of Indonesia also continues to try to engage in a dialogue with GAM with the aim of achieving a lasting peace in the Aceh province, although some of the dialogue that has been done always ended in failure and deadlock because GAM refused special autonomy that granted by the Indonesian government and remained by his desire to separate from Indonesia and independence, for examples of agreements "Humanitarian Pause" and CoHA (Cessation of Hostilities Framework Agreement) sponsored / facilitated by the Henry Dunant Center (HDC) both of them ended in failure. Finally, in order to keep the security situation in the Aceh province is stable, then on the leadership of President of Megawati Soekarno Putri issued a presidential decision number 28 of 2003 concerning the status of an emergency statement to the level of military emergency, which made for one year. After the security situation in Aceh province is considered to improve the government then issued a presidential decision number 43 of 2004 concerning the change of status of emergency from Military emergency into a state of civil emergency, followed up by Decision of the President Number 17 of 2004 on the implementation of integrated operations in Aceh province which includes Economic Recovery operations, Humanitarian Operations, Administration Stabilization operations, Security Restore operation, and Law Enforcement operations.

On December 26, 2004, Aceh province was hit by the earthquake followed by the tsunami waves. As a result of the tsunami, condition in the Aceh province is fallen apart and the most serious region hit by the tsunami waves, compared by other regions. As a result of this disaster, worldwide attention focused on the province of Aceh, which is the worst areas hit and most casualties of about 200 thousand people disappeared and died. International aid continues to flow into the province of Aceh to help evacuate of victims and reconstruction of Aceh. After the Tsunami natural disaster the government along with other countries that provide assistance continues to perform reconstruction of Aceh region.

Other than that for smooth reconstruction process and avoid the disruption of security from GAM, the government also continued to negotiate with GAM through the dialogue. The tsunami natural disaster have awareness on both sides, especially the GAM to accept the offer of dialogue provided by the Indonesian government for the realization of lasting peace in the province of Aceh in order reconstruction process to run smoothly and safely. With the mediator's role as a third party, namely the international non-governmental organizations, led by former Finland president Mr. Martti Ahtisari, finally the two sides can meet to negotiate in order to achieve peace, in the beginning the process towards the establishment of peace is very difficult to do several rounds of meetings between representatives of the government of the republic of Indonesia and GAM representatives, this happens because of the persistence of the denial of the GAM and the desire to remain independent. But due to the awareness of the GAM to accept the offer of the Government of Indonesia, and stop the desire for independence, finally peace agreement between the Indonesian government and GAM can be reached, marked by the signing of a memorandum of understanding (MoU) on August 15, 2005, it is as a sign that the Aceh conflict has occurred more than 30 years has ended. The peace realization in the Aceh region is also due to the international pressure toward both sides, especially the States that provide aid to Indonesia in Aceh reconstruction, in order for the reconstruction process could run smoothly and the security of aid personnel can be assured. Other than that, the policy of the president of the Republic of Indonesia Mr. Susilo Bambang

Yudhoyono to reactivate the dialogue process, and also the firmness of the military leaders did not hesitate to take hard action to GAM when they keep wanting independence can lead to deadlocked peace process, and inhibit the reconstruction process in Aceh. And most importantly awareness for both sides to put forward the interests of the people than of the interests of each group as well as a desire to create a better Aceh province, secure and prosperous.

RECOMMENDATION

As presented by H. Fadlullah Wilmot, Country Director Muslim Aid Indonesia Field Office, on February 13, 2007, that "Aceh Conflict resolution is an example,

the peace way is remarkable because policies the two of warring parties, namely the Government of Indonesia and GAM (Free Aceh Movement) together promote the interests of the people."¹ Method of peace between the Indonesian government and the GAM is an excellent peace way due to both sides could compromise and willing to sacrifice the interests of which they fought for this. Aceh conflict resolution should be used as an example by the State that still faces an internal conflict such, Philippines with the rebel of MNLF (Moro National Liberation Front), South Thailand with the rebel of BRN (Barisan National Revolution) and Colombia with the rebel of FARC (Fuerzas Armadas Revolucionarias de Colombi). And many other countries in the world that face similar problems with Indonesia and has not find the meeting point, so they should be able to follow the example of the peace process in the Aceh Province to be applied in each country in overcoming conflict, by putting forward the interests of the people and the willingness of both parties to the conflict to realize peace.

¹<http://www.kemendagri.go.id/news/2007/02/14/penyelesaian-konflik-aceh-layak-jadi-contoh-perdamaian-di-duni>

Currently beginning of peace talks was held by the rebels of southern Thailand with the Thailand national government, on 28 February 2013². For realizing the comprehensive peace, so The Government of Thailand should immediately follow up peace talks process by carrying out the process of disarmament, demobilization and Reintegration, as well as by forming NCDDR (National Committee for Disarmament Demobilization and Reintegration) or some organization that have or similar function with NCDDR. To prevent violation of the agreements that have been made, the government of Thailand and the BRN should submit International Military Monitoring to southern Thailand region to oversee the implementation of the ceasefire agreement, so no more agreement violations by both sides. The Thai government is able to request assistance from ASEAN Countries (ASEAN Community) to sends the Military personnel as a Military monitoring or observer, in order to assist the Thai government in realizing comprehensive peace in Southern Thailand.

Beside the above mention, the Government of Thailand should also trust building of Muslim communities of southern Thailand, by issuing of policies as a follow:

- Improve the local economy of southern Thailand.
- Improve the development of facilities and quality of education
- Improve the construction of health facilities and health services.
- Improve the quality of infrastructure such as roads and other public facilities.
- Changing the approach is militaristic or repressive be persuasive approach.
- Establish good communication with community leaders and Muslim community of southern Thailand.
- Give greater opportunity to the Muslim community of southern Thailand to be able to work in government agencies, especially those in southern Thailand.

² <http://m.sindonews.com/read>. (October 2013)

- Give special autonomy to southern Thailand, by way of giving the right to be able to use the law of Islam / Sharia Islam in Southern Thailand.

- The government of Thailand and the rebel of south Thailand, they must be willing to open themselves to receive third party as a mediator or facilitator in order to realize peace.

- Always prioritize the resolution of conflicts through dialogue way than through military operations, because the resolution of conflicts through dialogue way is better and more successful than the resolution of conflict through military operations, this has been proven by the success of the Indonesian government in achieving peace in Aceh Province. The Military operations is the last option if the dialogue way fault and no more way to realize of peace process.

BIBLIOGRAPHY

Journal

ELSAM, Briefing Paper No.2, (April 30, 2003). *Aceh: Mengapa Kesepakatan Penghentian Permusuhan Sulit Dipertahankan*. Jakarta, Lembaga Studi dan Advokasi Masyarakat.

Habib, Qur'ani Abdau (2012), *Upaya mengatasi Pertikaian antar etnis/Ras di Indonesia dalam perspektif Ilmu Sosial dan Islam*, Makalah Program Studi Manajemen Islam Fakultas Tarbiyah dan Keguruan UIN Kalijaga, Yogyakarta tahun 2012.

Malik Mahmud, Hamid Awaludin and Martti Ahtisaari (2005), *Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement*. Helsinki, F

Surakhmad, Prof. Dr. Winarko, M.Sc. Ed (2004), *Pengantar Penelitian Ilmiah: Dasar, Metode dan Teknik*, Bandung, P.T. Tarsito (November, 2004)

Zulkarnaen, Iskandar (2005). *Peran Pihak Ketiga dalam Penyelesaian Konflik di Aceh: Analisa Kegagalan HDC serta Prospek Damai MoU Helsinki*, Aceh tahun 2005.

Electronic Data Base

Amanah, heidy Entry. (2010). *Tugas Diplomasi Penyelesaian Konflik GAM di Aceh Pasca Pemerintahan Megawati*. <http://diplomacy945.blogspot.com/2010/06/penyelesaian-konflik-gam-di-aceh-pasca.html> (Nov 2013).

Aditia Maruli (2010), *Hasil survey terbaru jumlah pulau Indonesia*, *Antaraneews.com* 17 August 2010.

<http://www.antaraneews.com/berita/216596/hasil-survei-terbaru-jumlah-pulau-indonesia>. (December 2013).

Aceh Ensiklopedia, (August 23, 2011). *Sejarah Konflik Aceh*.

<http://aceh-ensiklopedia.blogspot.com/2011/08/sejarah-konflik-aceh.html>, (Nov 5, 2013)

Elviana, Myla (13 Juli 2012), *Sosiologi: Konflik Sosial dan Integrasi Sosial*.

<http://sosiologi25.blogspot.com/2012/07/konflik-sosial-dan-integrasi-sosial.html> (November 29, 2013)

Edward, Aspinal (May 11, 2008). *Sejarah Konflik Aceh*.

<http://komfis.wordpress.com/2008/05/11/sejarah-konflik-aceh/> (Nov 5, 20013)

Jenis -jenis konflik, penyebab konflik, contoh konflik, dan pengambilan keputusan.

<http://carideny.blogspot.com/2012/11/jenis-jenis-konflik-penyebab-konflik.html>. (November 10, 2013)

Konflik Aceh dan MoU Helsinki: Resolusi Atas Konflik Aceh Dalam Permasalahan Disintegrasi Nasional. (August 15, 2005). *Nuansa Klasika 15 Desember 2012*.

<http://nuansaklasika.wordpress.com/2012/12/15/konflik-aceh-mou-helsinki-15-agustus-2005/>.

Republik Indonesia, Badan Pusat Statistik (2010). *Jumlah dan Distribusi Penduduk 2010*.

<http://www.bps.go.id/jumlah/penduduk-indonesia>. (December, 2013)

Republik Indonesia, Badan Pengawasan Nasional (10 Juni 2012). *Perbatasan dan provinsi di Indonesia*. [http://kawasan.bappenas.go.id/index.php?catid=36:sub-direktorat-kawasan-khusus-perbatasan&id=98:perbatasan&option=comcontent &view=article](http://kawasan.bappenas.go.id/index.php?catid=36:sub-direktorat-kawasan-khusus-perbatasan&id=98:perbatasan&option=comcontent&view=article) (November, 2013).

Presiden Republik Indonesia (10 Mei 2012). *Undang-Undang Republik Indonesia No. 7 Tahun 2012 tentang Penanganan Konflik Sosial*. Jakarta, Sekretaris Negara RI.

<http://www.setneg.go.id>

Presiden Republik Indonesia, (1965). *Undang Undang Republik Indonesia nomor. 18 tahun 1965 tentang pokok pokok pemerintahan Daerah*. Jakarta, Sekretaris Negara RI.

<http://www.hukumonline.com>

Presiden Republik Indonesia, (23 Juli 1974). *Undang Undang Republik Indonesia no. 5 tahun 1974 tentang Pokok Pokok Pemerintahan Daerah*. Jakarta, Sekretaris Negara RI.

http://www.dpr.go.Id/uu/uu_1974/uu_1974_5.pdf

Presiden Republik Indonesia, (1999). *Undang Undang Republik Indonesia no. 22 tahun 1999 tentang Pemerintahan Daerah*. Jakarta, Sekretaris Negara RI.

<http://www.setneg.go.id>

Presiden Republik Indonesia (9 August 2001). *Undang Undang Republik Indonesia nomor 18 tahun 2001 tentang otonomi khusus bagi provinsi daerah istimewa Aceh sebagai provinsi Nanggroe Aceh Darussalam*. Jakarta, Sekretaris Negara RI.

<http://www.setneg.go.id>

Presiden Republik Indonesia (11 April 2001). *Instruksi Presiden Republik Indonesia nomor. 4 tahun 2001 tentang Langkah-Langkah Komprehensif Dalam Rangka Penyelesaian Masalah Aceh*. Jakarta, Sekretaris Kabinet RI.

<http://www.setneg.go.id>

Presiden Republik Indonesia (18 Mei 2003), *Keputusan Presiden Republik Indonesia nomor.28 tahun 2003 tentang Pernyataan Keadaan Bahaya Dengan Tingkatan Keadaan Darurat Militer di Provinsi Nanggroe Aceh Darussalam*. Jakarta, Sekretaris Negara RI.

<http://www.setneg.go.id>

Presiden Republik Indonesia (1 Juni 2004), *Instruksi Presiden Republik Indonesia no. 1 tahun 2004 tentang Pelaksanaan Operasi Terpadu Dalam Keadaan Bahaya Dengan Tingkatan Keadaan Darurat Sipil di Provinsi Nanggroe Aceh Darussalam*, Jakarta, Sekretaris Negara RI.

<http://www.setneg.go.id>

Presiden Republik Indonesia (18 Mei 2004). *Keputusan Presiden Republik Indonesia nomor. 43 tahun 2004 tentang pernyataan perubahan status keadaan bahaya dengan tingkatan keadaan darurat militer menjadi keadaan bahaya dengan tingkatan keadaan darurat sipil di provinsi Nanggroe Aceh Darussalam*. Jakarta, Sekertaris Negara RI.

<http://www.setneg.go.id>

Saptono dan Suteng S. Bambang (Desember 18, 2012). *Konflik Sosial*.

<http://sosiopedia.wordpress.com/materi-2/kelas-xi/semester-i/konflik-sosial/>. (Dec 1, 2013)

Sejarah Konflik Aceh (May 28, 2012).

<http://hudi-wahyu-p.blog.ugm.ac.id/2012/05/28/sejarah-konflik-aceh/>, (Nov 5, 2013)

Sindonews.com (February 28, 2013). *Pemerintah dan Pemberontak Muslim Thailand berdialog di Malaysia.*

<http://m.sindonews.com/read> (October, 2013)

Wikipedia, Wikipedia Bahasa Indonesia: *Konflik*. *last up date* 2013.

<http://id.wikipedia.org/wiki/Konflik>, (November 9, 2013).

Wikipedia, Wikipedia Bahasa Indonesia: *Negara Islam Indonesia.*

http://id.m.wikipedia.org/wiki/Negara_Islam_Indonesia (November 19, 2013).

Wikipedia, Wikipwedia Bahasa Indonesia: *Gerakan Aceh Merdeka* last Update 1 Januari 2014.

<http://www.wikipedia.id.co/gerakan-aceh-merdeka> (Novenber 5, 2013).

Wiryono, S. *Konflik aceh, jalan panjang menuju perdamaian.*

http://www.kbri-canberra.org.au/s_issues/aceh/articles/articles_jalanpanjang.htm,

(Nov 5, 2013).

Wikipedia, Wikipedia Bahasa Indonesia. *Operasi Militer Indonesia di Aceh 2003-2004.*

http://id.wikipedia.org/wiki/Operasi_militer_Indonesia_di_Aceh_2003-2004,

(Nov 5, 2013).

BIOGRAPHY



- Full name** : R. Achmad Prihadi
- Date of Birth** : 10 March 1963 (In Bandung)
- Military Education** :
- 1987 Indonesian Air Force Academy
 - 1996 Junior Staff College
 - 2004 Air Force Staff and Command College
- Military Courses** :
- 1984 Basic Air Borne
 - 1986 Indonesian 5 principles practice and guidelines course
 - 1988 Basic Technician for Strategic Communication Officer course
 - 1989 English Intensive course
 - 1990 Time Division Multiple Access (TDMA) Course at Santa Maria, USA.
 - 1990 Implementation of Automatic Logistic Management System of communication system

- 1990 Electronic Data Processing course
- 2000 Basic Intelligence Officer Course
- 2001 Para Commandos
- 2004 Australian and Military Familiarization Course at DITC Melbourne Australia
- 2004 Law of Peace Operation course at Sydney Australia
- 2004 International Peace Operation Course and Seminar at Canberra Australia.
- 2009 National Air defense system course
- 2012 Academies instructor course
- 2013 Thai language Course, at Don Mueang Thailand.

Military Career and Experience

- 1987 An Officer in Electronic Depot 01, Sulaiman AFB
- 1990 An Officer for user group of logistic information system at Iswahyudi AFB, Madiun
- 1991 Officer in Charge in Maintenance Warehouse 012, Maintenance Depot Sulaiman AFB
- 1995 Head of Central Communication of Indonesian Air Force Material Maintenance Command
- 1996 Head of Sub Directorate for Electronic and Communication of Indonesian Air Force Special Troop Center

-1998 Head of Service for Electronic Communication at Indonesian Air Force Special forces corps HQ

-2000 Head of Unit for Electronic Communication at Indonesian Air Force Special Forces Corps HQ

-2002 Electronic Communication Commandant at Indonesian Air Force Special Forces Corps HQ.

-2003 Head of Service for Quality Control of Maintenance Depot 40 Sulaiman AFB

-2005 Head of Service for Maintenance Control and Plan of Maintenance Depot 40 Sulaiman AFB

-2007 Senior Assistant of D-33 at Directorate "D", Strategic Intelligence of Indonesian Armed Force

-2008 Intelligence Assistant at National Air Defense Sector Command I

-2009 Intelligence Assistant at National Air Defense Sector Command III

-2011 Instructor at Indonesian Air Force Command and Staff College

-2012 Intelligence Assistant at Indonesian Air Force Special Forces Corps

-2013 Middle Officer of Indonesian Air Force Special Forces Corps Hq.

-2001 as Military Observer at UN Mission in Sierra-Leon

-2005 as Military Observer at UN Mission in Sudan

Military Status

: -1987 2nd Lieutenant

-1990 1st Lieutenant

-1993 Captain

-1998 Major

-2004 Lieutenant Colonel

-2009 Colonel

SUMMARY

Field : Politic

Title : Case Study of the Aceh Conflict Resolution between the Government of Indonesia and GAM (Gerakan Aceh Merdeka /Free Aceh Movement)

Name : Colonel. R. Achmad Prihadi,

Position : Staff officer of IDAF Special Forces Corps HQ. Course : NDC, Class : 56

BACKGROUND AND IMPORTANCE OF THE PROBLEM

Conflict is a social process between two people or more (can also group) where one party trying to get rid of the other party to destroy it or make it powerless¹. According to some literature there are various kinds of conflict, but here will be discussed the vertical conflict is the conflict between the government and separatist groups are also many faced by some developing countries. Until recently there were few countries that can resolve conflicts through dialogue and ended with a peace agreement. Among the States that can resolve the conflict by peaceful means is Indonesia, with Aceh conflict, the conflict between the Government of the Republic of Indonesia and the Free Aceh Movement (GAM).

Beginning of the conflict in Aceh, It's started after Indonesia's Independence there are some elite group in Aceh feel disappointment with the policy that given by the Government of Indonesia. During colonial periode, the Aceh people have much contribute both economic and moral support to the Republic of Indonesia, from the Dutch colonial period until the Japanese occupation. Contribution given by the Aceh people leaded by Teuku Daud Beureuh who agreed to raise funds and property as well as play an active role in defending the country. To see how big the contribution of the people of Aceh, President Soekarno at the time promised to the implementation of Islamic law in Aceh after a struggle for independence ended. But the promise was not fulfilled, just

¹ <http://id.wikipedia.org/wiki/Konflik>, 9 November 2013

putting Aceh as a part of North Sumatra province, and exacerbated by the emergence of the "Black List" issue which contains of the Aceh leaders including Teuku Daud Beureuh who will be removed by the central government. Finally due to disappointment of Daud Beureuh and the Aceh people to the Indonesian government policy, on 1953 the rebellion movement of the Darul Islam / Islamic Army of Indonesia (DI / TII) comes up.

In December 1962, the rebellion DI / TII under the leadership of Daud Beureuh eventually be solved by peaceful means through Deliberation Harmony Acehese². And Soekarno government gave assurance that the province would be given the status of Special Region with autonomy, particularly in the sector of religion, custom/culture, and education was passed in Laws no. 18 of 1965. However, in 1974 (the New Order era) government repeal the laws no. 18 and replace it with the Laws. No. 5 of the principles of the Local Government in the regions, this repeal would bring back disappointment for the people of Aceh and has contributed to the emergence of the idea of the State of Aceh Merdeka (Free Aceh). Another factor of disappointment come up is the marginalization of the Acehese cultural identity that has existed since hundreds of years, a very strong cultural identity rooted and uphold the customs and harmony with Islamic values. Acehese living concept has been formed since the reign of the Islamic Empire. One of the causes of the rebellion Teuku Daud Bereuh, because it does not fulfill the promise of Soekarno to provide the Acehese Islamic identity. And then under the new order government some of the factories had been established in Aceh like the LNG factory in Arun, fertilizer factory of Iskandar Muda, Asean Aceh Fertilizer and factory of Kraft Paper flourishing and make Indonesia as the largest LNG exporter countries. With the operation of the companies, then in 1993 the Aceh can contribute to the state of the oil and gas sector of Rp 6,644 trillion. But from th income of that 453.9 billion only which was returned to Aceh, so that this injustice makes Aceh region lagging behind compared to other provinces. From the several of event, and there was accumulation of disappointment people of Aceh to the Indonesian Government that the situation does not

² http://id.m.wikipedia.org/wiki/Negara_Islam_Indonesia, tgl 19 nov 2013

benefit the people of Aceh and eventually it became a forerunner of the Free Aceh Movement (GAM), which is a reflection of the Rebellion DI / TII 1953.

December 4, 1976, the initiator of the Free Aceh Movement Hasan di Tiro and some of his followers issued a statement against the government of Indonesia that took place in the region of the Halimon hills at Pidie district³. At the beginning of the founding period of GAM, the official name used is AM (Aceh Merdeka), while the Indonesian government called it by the name of GPK-AM (Gerakan Pengacau Keamanan-Aceh Merdeka/Movement of security disturbance - Free Aceh). This movement of armed groups immediately got stiff resistance from the Indonesian government and finally held a military operation in Aceh Special Region known as DOM (Daerah operasi militer/ Military Operations Region) from 1989 to 1998.

The rebellion of DI / TII is the beginning of the conflict between the Indonesian government and the people of Aceh, but the uprising can be solved by the government by way of dialogue. The establishment of free Aceh (AM=Aceh Merdeka) group as a forerunner of the Free Aceh Movement (GAM), which is the beginning of the second conflict between the Indonesian government and Aceh Community, conflict continued until the Indonesian government conducted a military operation to destroy the rebel group of GAM. Military operations are carried out for about ten years but peace in Aceh province has not be realized, then some ongoing efforts to be done to seek peace, by means of dialogue. After going through a long path and many obstacles faced and with the help of a third party, finally on 15 August 2005 realization of peace between the Indonesian government and the GAM (Free Aceh Movement) through the signing of the MoU in Helsinky Finland.

As above mention, the issues will be discussed in the research is "How the conflict that has been going on for decades between the Indonesian government and the GAM

³ <http://www.wikipedia.id.co/gam>, tgl 5 nov 2013

(Free Aceh Movement) can be resolved by peaceful means?. Based on these issues, the research questions focused on:

- a. Why is the conflict between the Government of the Republic of Indonesia and GAM (Free Aceh Movement) occurred?
- b. How to achieve peace process between the Government of the Republic of Indonesia and GAM (Free Aceh Movement)?

OBJECTIVE OF THE RESEARCH

In accordance the above problems, the purposes of this case study research are:

- a. To find out why? Conflict in Aceh between the Indonesian Government and GAM (Free Aceh Movement) occurs.
- b. To find out how the achievement of the peace process between the Government of the Republic of Indonesia and GAM (Free Aceh Movement) by way of dialogue and peace, so that it can be used as an example by other countries that face the same or similar conflict with Indonesia.

SCOPE OF THE RESEARCH

The scope of this paper includes initial conflict of Aceh and process of reaching the resolution of the conflict of Aceh between the Indonesian government and GAM (Gerakan Aceh Merdeka/Free Aceh Movement) with dialogue and peaceful means.

RESEARCH METHODOLOGY

Research methodology used is descriptive method by collecting, and compiling data then analyze and interpret the meaning of the data. With the type of descriptive method used is a case study, as a case study focusing attention on the case in detailed and intensive. The implementation of the research is divided into two stages, as follows:

- a. First Stage.

1) Searching and collecting the data, from the books, documents and as well as over the internet relating to the topic.

2) After collecting the data and then compiled and classified.

b. Second Stage.

1) To conduct analysis of data that has been compiled and classified.

2) From the analysis and interpretation of the obtained results of the causes and consequences of conflict.

3) All data and analysis made in Research paper form.

THE BENEFITS EXPECTED FROM THE RESEARCH

Research of case studies of Aceh conflict resolution between the Indonesian government and the Free Aceh Movement expected to provide benefits for countries that are facing similar problems or equal to Indonesia, especially for the Thai government is still facing problems with Muslim separatist movement in Southern Thailand. Hopefully this research paper can give you an ideas that are valuable to the Thai government to resolve the conflict in southern Thailand by way of dialogue. And it could give clear picture that resolution of a conflict cannot be seen from one point of view only / one aspect, but must be viewed from various angles.

CONCLUSION

The purpose of this paper is to examine “How the conflict that has been going on for decades between the Indonesian government and the GAM (Free Aceh Movement) can be resolved by peaceful means”? based on these problems the research questions focused on Why is the conflict between the Government of the Republic of Indonesia and GAM (Free Aceh Movement) occurred? and How to achieve peace process between the Government of the Republic of Indonesia and GAM ? From above mention can be drawn a conclusion as a follow :

The History Factors

The conflict in Aceh, beginning with a sense of disappointment of the local elite and the people of Aceh on the Indonesian government policies as well as the "black list" issue of Aceh leaders who will be eliminated by the government, also did not impartiality the central government to the interests of the Aceh people. The Aceh people disappointment started by not the implementation of Islamic law in Aceh, as has been promised by the president Soekarno during the struggle against the Dutch colonialists, thus resulting in the emergence of DI (Darul Islam) / TII (Islamic Army of Indonesia). But The insurgency of DI / TII does not run long time, it can be immediately crushed by the Indonesian government peacefully through the provision of special regional status and autonomy to Aceh, followed by issuing republic Indonesian laws number 18 of 1965 concerning the provision of special regional of Aceh.

The Culture Factors

During the New Order government, under the leadership of president Soeharto, the government repeal Laws of Republic of Indonesia Number. 18 of 1965 concerning the status of Special region of Aceh and replace it with the laws of Republic of Indonesian number 5 of 1974 on the principal subject of local government, of course the repeal of this laws makes Acehnese very disappointed because the repeal of this law, it will make the privilege Aceh, characteristics and culture of the Acehnese people who are affected by the strong Islamic religion will slowly disappear and the use of Islamic law in Aceh will disappear too due to be replaced by new legislation rules that equated to area or other provinces. The disappointment finally contributed to the emergence of the idea of the establishment of the Aceh country, separate from the republic of Indonesia, which on December 4, 1976 declared by Tengku Hasan Di Tiro by forming organizations of the Free Aceh with the main goals independence. The movement of this organization is still enclosed in the form of an underground movement, which can easily be eradicated by the government through military force, because it is still small and not yet popular among the people of Aceh.

The Economic Factors

New Order government policies focused on economic development and industry sectors, in the province of Aceh have been built several industries which include fertilizer industry, paper industry and also oil and gas exploitation, so that Indonesia was ever become one of the largest gas exporters countries in the world. This condition should make increased the level of the Acehnese economy, but on the fact the people of Aceh economic level does not increase, and the number of poor families in Aceh still a lot compared to other provinces. Again and again of these conditions make Acehnese disappointed and hurt over the Indonesian government's actions are not fair to Aceh.

This condition then is used by the Free Aceh Movement to gain sympathy and support from the community in order to realize the goal of independence and separate from the republic of Indonesia.

The Social Factors

From a sociological viewpoint, the Aceh conflict as the result of not harmonious relationship between Aceh and the central government of Indonesia and the lack of good lines of communication between both them. Disharmony between Aceh and the central government of Indonesia has started since the reign of President Soekarno and continued on President Soeharto with the implementation of the centralized government system. Disharmony relationship between Aceh and the central government of Indonesia eventually trigger the emergence of two rebellion, the DI (Darul Islam) and the Free Aceh Movement (GAM) rebellion of

The Political Factors

Government systems are centralized in New Order era, making Acehnese lack of freedom in the political sphere, in particular to make choices in the general election. Acehnese people just follow the provisions that have been outlined by the Indonesian central government, without having a strong bargaining position, consequently the people

of Aceh only serve the interests of the center with political and economic exploitation. With a government system of centralized, the central government has set up a network of local elites who become accomplices of the central government and has provided a profit on elite of central government. With these conditions, the disappointment of the Acehnese to the centers larger, and became one of the root problems that contribute to the emergence of the conflict in Aceh province.

The Geographic Factors

Aceh is located at the western tip of the Republic of Indonesia, the position is far from the central government and has many natural resources are very abundant, the areas is rich with the natural gas reserves, which makes Indonesia as one of the country's largest LNG exporter in the world. Aceh is a very strategic position close to the Strait of Malacca, this is also one of the factors that lead to the Aceh People want to separate from The Republic of Indonesia, and stand alone as the Freedom Country.

From the analysis of several perspectives / factors above, a conclusion can be drawn that the main root of the conflict are the frustration of the people of Aceh to the Indonesian government policies which is not fair to the people of Aceh, especially in the economic field, not the implementation of Islamic law as the basis of government at the Aceh areas that are characteristic and distinctive communities of Aceh as well as the process of friction between the local elite of Aceh and elite central, ranging from the beginning of independence until the New Order government. And finally the peak of disappointment of Aceh people, became an initiative of insurgency emergence that in the early establishment a group calling themselves as the Free Aceh and then transformed into the Free Aceh Movement (GAM), which was declared on December 4, 1976 by Teungku Hasan Di Tiro as the initiator, with the primary objective independent and separate from the Republic of Indonesia and to establish the State of Aceh.

In 1980 the Free Aceh group managed to increase strength and widen its organization, of course this is get resistance from the Indonesian government. New Order government continues to eradication of the rebel movement by deploying military forces, and in 1983 Tengku Hasan Di Tiro as the leader of the Free Aceh increasingly pressured and finally escaped to abroad, as well as some of his followers there who have fled out the country and also in the country. In the same period the group of Free Aceh movement (GAM) has also managed to send some members to Libya for military training.

In 1986 several members of GAM have conducted military training in Libya returned to Aceh, and their conduct security disorders by attacking the military posts, police posts and sabotage to oil and gas industry, in order to create security conditions in Aceh province is not stable (Unsafe). The Indonesian government calls this group as security disruptors' movement (GPK), but actually this is the maneuvers of the Free Aceh Movement members who just returned from Libya. In addition to performing security disturbances, they also were forcibly requested taxes illegally from industry located in the Aceh province with the aim of strengthening the position and existence. Of course this situation immediately got a response from the government by conducting a military operation codenamed "Operation of Red Net" and gives the status of Aceh as the Military Operation Area (DOM) which began in 1989 until the end of the reign of the new order in 1998. As a result of military operations in Aceh, many fell victim either in the military, GAM (Free Aceh Movement), and civil society are not involved directly in conflict between TNI (Indonesian Armed Forces) and GAM. Many civil society who are victims and suffer as a result of military operations, especially in the area of Pidie, East Aceh and North Aceh, creates a feeling of resentment in people whose relatives became one of the victims of the military operation.

In 1998 the Indonesian domestic security conditions are not stable with the presence of political turmoil and massive demonstrations by the people of Indonesia with the aim to overthrow New Order government. And finally demonstrators have managed to overthrow the government of new order and replace it by government called government of reform. In order to maintain the security situation remain conducive and stable then The

President of Republic of Indonesia Mr. Soeharto resigned and Mr. BJ Habibie, whose position as vice president appointed as the President. BJ Habibie as President of the Republic of Indonesia and then revoke the status of military operations region (DOM) and an end to military operations in Aceh province, as well as giving the status of Aceh's province as the Aceh preferential Region through Presidential decision number 22, year 1999. Then in 2001 was reissued the president decision number 18 by giving the specialist autonomy to Aceh province, other than the Government of Indonesia also continues to try engage dialogue with GAM by the aim of achieving a lasting peace in the Aceh province, although some of the dialogue that has been done always ended in failure and deadlock because GAM refused special autonomy that granted by the Indonesian government and remained by his desire to separate from Indonesia and independence, for examples of agreements "Humanitarian Pause" and CoHA (Cessation of Hostilities Framework Agreement) sponsored / facilitated by the Henry Dunant Center (HDC) both of them ended in failure. Finally, in order to keep the security situation in the Aceh province is stable, then on the leadership of President of Megawati Soekarno Putri issued a presidential decision number 28 of 2003 concerning the status of an emergency statement to the level of military emergency, which made for one year. After the security situation in Aceh province is considered to improve the government then issued a presidential decision number 43 of 2004 concerning the change of status of emergency from Military emergency into a state of civil emergency, followed up by Decision of the President Number 17 of 2004 on the implementation of integrated operations in Aceh province which includes Economic Recovery operations, Humanitarian Operations, Administration Stabilization operations, Security Restore operation, and Law Enforcement operations.

On December 26, 2004, Aceh province was hit by the earthquake followed by the tsunami waves. As a result of the tsunami, the Aceh province condition is fallen apart and the most serious region hit by the tsunami, compared by other regions. As a result of this disaster, worldwide attention focused on the province of Aceh, which is the worst areas hit and most casualties of about 200 thousand people disappeared and died.

International aid continues to flow into the province of Aceh to help evacuate of victims and reconstruction of Aceh. After the Tsunami natural disaster the government along with other countries that provide assistance continues to perform reconstruction of Aceh region. Other than that for smooth reconstruction process and avoid the disruption of security from GAM, the government continued to negotiate with GAM through the dialogue. The tsunami natural disaster have awareness on both sides, especially the GAM to accept the offer of dialogue from the Indonesian government. With the mediator's role as a third party, namely the international non-governmental organizations, led by former Finland president Mr. Martti Ahtisari, finally the two sides can meet to negotiate in order to achieve peace, in the beginning of the process towards the establishment of peace is very difficult, it has to conducted several rounds of meetings between both of representatives, it is because of the persistence of of the GAM denial and the desire to remain independent. And finally due to the awareness of the GAM to accept the offer of the Government of Indonesia, and stop the desire for independence, peace agreement between the Indonesian government and GAM can be reached, marked by the signing of a memorandum of understanding (MoU) on August 15, 2005. The peace realization in the Aceh region is also due to the international pressure to both sides, especially the Country that provide aid to Indonesia in Aceh reconstructi. Other than that, the policy of the president of the Republic of Indonesia Mr. Susilo Bambang Yudhoyono to reactivate the dialogue process, and also the firmness of the military leaders did not hesitate to take hard action to GAM when they keep wanting independence. And most importantly awareness for both sides to put forward the interests of the people than of the interests of each group as well as a desire to create a better Aceh province, secure and prosperous.

From the above description can be drawn a conclusion that the achievement of peace in the province of Aceh because of the awareness of both parties to more priority to the interests of the people of Aceh, and the desire to create a better situation in Aceh. GAM sincerity to change of his desire from the Independence become receiving special autonomy and government policy by giving special autonomy and give a decision for the

application of Islamic Sharia / Islamic law in Aceh province. And also openness Indonesian government and the Free Aceh Movement to accept a third party as a mediator in resolving conflict and bring about peace. The role of third parties as mediators also encourage the establishment of peace in Aceh province. Conflict resolution by way of the dialogue will provide a lot of a solution to achieve peace than resolution with the armed resistance, which was not able to resolve the conflict, even it will create resentment and make other conflict more complicate, use soft power is better than hard power to resolve the conflict.

RECOMMENDATION

As presented by H. Fadlullah Wilmot, Country Director Muslim Aid Indonesia Field Office, on February 13, 2007, that "Aceh Conflict resolution is an example, the peace way is remarkable because policies the two of warring parties, namely the Government of Indonesia and GAM (Free Aceh Movement) together promote the interests of the people."⁴ Method of peace between the Indonesian government and the GAM is an excellent peace way due to both sides could compromise and willing to sacrifice the interests of which they fought for this. Aceh conflict resolution should be used as an example by the Country that still faces an internal conflict and has not find the meeting point.

Currently beginning of peace talks was held by the rebels of southern Thailand with the Thailand government, on 28 February 2013⁵. For realizing of the comprehensive peace, The Government of Thailand should immediately follow up the initial peace talk's process by carrying out:

- The process of disarmament, demobilization and Reintegration.
- Forming NCDDR (National Committee for Disarmament Demobilization and Reintegration) or some organization that have or similar function with NCDDR.

⁴<http://www.kemendagri.go.id/news/2007/02/14/penyelesaian-konflik-aceh-layak-jadi-contoh-perdamaian-di-duni>

⁵ Sindonews.com, (February 28, 2013). Pemerintah dan Pemberontak Muslim Thailand berdialog di Malaysia. <http://m.sindonews.com/read> (October, 2013)

-If the ceasefire agreement have been reached by both of them, the government of Thailand and the BRN should submit International Military Monitoring to southern Thailand region to oversee the implementation of the ceasefire agreement, so no more agreement violations.

-The Thai government is able to request assistance from ASEAN Countries (ASEAN Community) to send the Military personnel as a Military monitoring, in order to assist the Thai government in realizing comprehensive peace in Southern Thailand.

Beside the above mention, the Government of Thai should also trust building of Muslim communities of southern Thailand, by issuing of policies as a follow:

- Improve the local economy of southern Thailand.
- Improve the development of facilities and quality of education
- Improve the construction of health facilities and health services.
- Improve the quality of infrastructure such as roads and other public facilities.
- Changing the approach is militaristic or repressive be persuasive approach.
- Establish good communication with community leaders and Muslim community of southern Thailand.
- Give greater opportunity to the Muslim community of southern Thailand to be able to work in government agencies, especially those in southern Thailand.
- Give special autonomy to southern Thailand, by way of giving the right to be able to use the law of Islam / Sharia Islam in Southern Thailand.
- The government of Thailand and the rebel of south Thailand, they must be willing to open themselves to receive third party as a mediator or facilitator in order to realize peace.
- Always prioritize the resolution of conflicts through dialogue way than through military operations.