

Aceh Monitoring Mission (AMM): A Future Model for EU Crisis Management?

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Abstrak

Artikel ini mengupas peran yang dijalankan *Aceh Monitoring Mission* (AMM), sebuah misi perdamaian yang dibentuk oleh Uni Eropa, dalam proses implementasi perdamaian antara pemerintah Indonesia dan Gerakan Aceh Merdeka (GAM) yang disepakati di Helsinki, Finlandia pada 17 Juli 2005. AMM bersama dengan beberapa negara anggota ASEAN diundang oleh pemerintah Indonesia untuk membantu memonitor dan memberikan dukungan moral terhadap jalannya proses perdamaian di Aceh. AMM memulai perannya sejak 15 September 2005, dan akan berakhir pada 15 Maret 2006. Keberadaan AMM di Indonesia merupakan salah satu bentuk bantuan yang diberikan oleh Uni Eropa kepada pemerintah Indonesia. Uni Eropa berkomitmen untuk membantu rehabilitasi dan rekonstruksi Aceh sebesar 200 juta Euro untuk tahun 2005-2006.

Introduction

Following operations in former Yugoslavia, the Caucasus and the Congo, the EU has embarked upon its first ever European Security and Defence Policy (ESDP) mission in Asia. The EU-led Aceh Monitoring Mission (AMM), which I am honoured to be heading, has now passed its half-way mark in its mandate to facilitate the implementation of the Memorandum of Understanding (MoU) between the Government of Indonesia and the Free Aceh Movement (*Gerakan Aceh Merdeka*, GAM).

This framework for peace, signed by the two parties in Helsinki, Finland on 15 August 2005, is

designed to put an end to almost 30 years of vicious and bloody military confrontation in the province of Aceh which has claimed over 12,000 lives and displaced thousands more. The economic and political impact of the conflict has been felt by the country as a whole.

The peace process is closely connected to the tsunami disaster reconstruction process as the two are mutually supportive. It has often been said that there can be no reconstruction without peace and equally that there can be no sustainable peace without a swift reconstruction. There is a clear need for different development programmes to take the peace process

forward once AMM has left Aceh. These different long term reconstruction programmes in Aceh will imply that the international community will remain involved in the region.

Brief History of the Conflict and Earlier Attempts to Make Peace

Aceh has been the site of one of Asia's longest-running internal conflicts. Efforts by the newborn Republic of Indonesia to include Aceh ran into problems virtually from the start, with Aceh declaring itself an independent Islamic state in 1953. During a conflict between 1953 and 1957, the Indonesian military under President Soekarno was able to suppress the Islamic state, finally bringing the two parties to negotiations, which established relative peace in Aceh in the early 1960s. However, issues such as Aceh's share of revenue from its natural resources and whether it could officially practice Islamic sharia law still simmered, and in 1976 the Free Aceh Movement (GAM) was founded and conflict flared again. A range of local grievances—especially concerning allocation of revenues from natural resources and human rights abuses—have contributed to the conflict.

Several peace attempts have been made between the Government of Indonesia and GAM. In May

2000, the Henry Dunant Centre (HDC) brokered talks between the Government of Indonesia under President Abdurrahman Wahid and GAM representatives in Geneva, resulting in the Joint Agreement on a Humanitarian Pause in Aceh.

Contacts between the two sides were not entirely sincere, however, and following Abdurrahman's replacement by Megawati Soekarnoputri in July 2001, a new round of talks opened and eventually resulted in a "cessation of hostilities" agreement in December 2002.

This agreement was welcomed with much enthusiasm not only in Aceh but also internationally, although all parties knew it was just a first step towards the overall resolution of the conflict. The agreement provided for internationally monitored demilitarisation of the territory to be followed by a dialogue "reflecting the views of all elements" of Acehnese society and finally "a free and fair electoral process".

Although the agreement led to a sharp decline in armed conflict, the peace process did not proceed smoothly. When GAM refused to compromise on its demand for independence, the agreement was undermined by demonstrations against the international monitors and making preparations for a renewed military campaign. The final blow came when the

Indonesian government presented an ultimatum that GAM rejected at a final meeting in Tokyo on May 18, 2003. The peace process broke down mainly because the two parties were unable to agree on the fundamental issue dividing them: whether Aceh would become an independent nation or remain an integral part of the Republic of Indonesia.

The Peace Negotiations and the Memorandum of Understanding

This last round of peace negotiations were initiated in Helsinki between the Government of Indonesia and the GAM under the auspices of the Crisis Management Initiative (CMI), a non-governmental organisation chaired by former Finnish President Martti Ahtisaari. This took place right after the tsunami hit the region of Aceh on 26 December 2004, although initial contacts were actually made before the tsunami disaster.

Since January 2005, peace talks have progressed through five rounds of negotiations, the latest of which was completed in Helsinki on 17 July 2005. Upon conclusion of the fifth round of talks, the Parties agreed on a Memorandum of Understanding (MoU) signed on 15 August 2005.

The EU was involved from the beginning and supported the peace process negotiations financially by providing direct support to CMI through the European Commission

Rapid Reaction Mechanism.

The negotiations in Helsinki resulted in a framework for a peace agreement covering governance, political participation, economy, rule of law, human rights, amnesty and reintegration of GAM members into society, security arrangements, monitoring and dispute resolution.

In the MoU the Government of Indonesia and the GAM commit themselves to achieve a peaceful, comprehensive and sustainable solution to the conflict in Aceh. It details the agreement and the principles that will guide the transformation process.

The Aceh Monitoring Mission

The Aceh Monitoring Mission (AMM) was established to monitor the implementation of various aspects of the peace agreement set out in the MoU. When it became clear that there was the possibility of signing an agreement, Mr Ahtisaari approached the European Union and ASEAN countries with a request to form the Aceh Monitoring Mission. The European Union, together with Norway and Switzerland, and five contributing countries from ASEAN; Thailand, Malaysia, Brunei, the Philippines and Singapore, agreed to provide monitors for the peace process.

A crucial aspect of the successful start of the mission was that the parties asked the contributing

countries to be present in Aceh from the day that the agreement was signed. Looking back, I can now say that I am both proud and pleased that we were able to deploy observers from day one. This has proved to be very important. An initial monitoring presence (IMP) was deployed by 15 August consisting of about 80 personnel in five locations over Aceh. It covered the period between the signing of the MoU in Helsinki and the full deployment of the AMM from 15 September. It was set up in 12 days. With the launching of the IMP we managed to avoid a vacuum that might have occurred before we could officially deploy the Aceh Monitoring Mission on 15 September 2005. This also allowed us to start the decommissioning of GAM weapons on the first day of the official mission.

The AMM presence, which will initially cover a period of 6 months, from 15 September 2005 - 15 March 2006, is based on an official invitation from the Government of Indonesia and with the full support of the leadership of the Free Aceh Movement (GAM).

The EU and participating ASEAN countries are undertaking this mission in order to contribute to a peaceful, comprehensive and sustainable solution to the conflict in Aceh. This has been made all the more important by the terrible tsunami disaster of 26 December

2004 and the suffering it inflicted on the people of Aceh. The EU and ASEAN fully respect the territorial integrity of Indonesia and see the future of Aceh as being within the unitary state of the Republic of Indonesia.

The objective of the AMM is to assist the Government of Indonesia and the GAM in their implementation of the MoU. The tasks and mandate of AMM are clearly outlined in the MoU. Under chapter 5 the AMM is given 8 (eight) primary tasks. These are to (1) monitor the demobilisation of GAM and monitor and assist with the decommissioning and destruction of its weapons, ammunition and explosives; (2) monitor the re-location of non-organic military forces and non-organic police troops; (3) monitor the reintegration of active GAM members; (4) monitor the human rights situation and provide assistance in this field in the context of the tasks set out in the above points; (5) monitor the process of legislation change; (6) rule on disputed amnesty cases; (7) deal with complaints and alleged violations of the MoU; and (8) establish and maintain liaison and good cooperation with the parties.

The first two of these tasks have already been completed according to the time schedule agreed by the parties in Helsinki.

The objective of the AMM is very much to keep the momentum in the

peace process, to act as a facilitator and to support the parties in their efforts. But it is important to state that the AMM will not take on a negotiation role. Should this be needed during the implementation process, it will be the responsibility of the two parties and the original facilitator, i.e. the Crisis Management Initiative (CMI).

The mission, whose headquarters is in Banda Aceh, had originally established a monitoring capability through 11 District Offices geographically distributed throughout Aceh: Sigli, Bireuen, Lhokseumawe, Langsa, Tapaktuan, Blang Pidie, Meulaboh, Lamno, Banda Aceh, Kutacane and Takengon as well as a logistical office in Medan. Due to organisational and logistical reasons we have since decided to open 3 new sub-district offices: Blangkejeren, Calang and Subulussalam. The mission also included 4 mobile decommissioning teams that have now been disbanded as they have completed their task. The mission will, however, remain capable of decommissioning any additional arms, as some of the monitors with decommissioning expertise will stay on in the mission.

The AMM numbers some 200 international unarmed personnel, of which half come from EU Member States, as well as Norway, and Switzerland, and half from the five participating ASEAN countries. AMM is completely impartial by

nature and does not represent or favour any of the parties.

AMM is a civilian and not a military mission. Its members do not carry weapons. It comprises personnel with expertise in the whole range of skills needed to fulfil the tasks of the mission, including human rights and reintegration experts as well as legal and political advisors. Some monitors are military or have a military background as this is necessary to perform certain technical tasks implied by the mission, for example the decommissioning of weapons.

All monitors wear recognisable white polo shirts with the AMM logo. Monitors conduct their monitoring tasks by patrolling and communicating with both parties, and by carrying out inspections and investigations as required.

The Commission on Security Arrangement (COSA) meetings both at a local (district) and central (headquarters) level have proved to be useful forums to raise relevant issues with corresponding leadership.

The costs of the mission are financed from the EU budget (EUR 9 million) and by contributions of EU Member States and participating countries (EUR 6 million). These costs cover the so called "common costs" such as running of the Headquarters and the district offices as well as transport and communications. Salaries are paid by

each participating member state to their monitors.

I report on a regular basis to the Council of the European Union through the Political and Security Committee and to Javier Solana, Secretary General/High Representative of the Council of the EU on matters related to the AMM. He will inform the parties, the CMI, and the contributing countries on possible violations of the MoU.

The Process - Beyond Expectations

To date, the Aceh peace process is working remarkably well and probably beyond the expectations of many people. Although the memories of the failed CoHA (Cessation of Hostilities Agreement) of December 2002 are still fresh, the mood among the Acehnese is upbeat and there is a distinct optimism prevailing that this time peace has come for real and that the peace process is irreversible. A number of contributing factors merit mention here.

As we have just passed the one-year commemoration of the tsunami tragedy, it is important to remember the intimate link that exists between peace and development, which in the case of Aceh translates into the interdependence between post-tsunami reconstruction and the peace process. It is often stated that

without a peaceful settlement of the conflict, the rebuilding of Aceh after the tsunami will not be possible - an observation reiterated in the preamble to the MoU. After AMM leaves Aceh, the reintegration and reconstruction processes will have to be embedded in longer term programmes benefiting all affected citizens of Aceh.

Decommissioning and Redeployment

According to the MoU, the relocation of non-organic TNI military and police forces was to be executed in four stages in parallel with GAM decommissioning starting on 15 September and to be concluded by 31 December 2005. Under the peace deal, the Aceh Monitoring Mission (AMM) is tasked with monitoring the demobilization of 3,000 GAM military personnel, decommissioning of 840 GAM weapons, and observing the relocation of non-Acehnese military and police personnel. The number of organic military forces to remain in Aceh after the four phases of relocation is 14,700 and the number of police forces to remain in Aceh after the four phases of re-location is 9,100. As we speak, both parties have met their respective obligations stated in the MoU.

The Free Aceh Movement fulfilled one of its obligations on the

19 December 2005 when they handed in their last weapons for destruction to AMM. In total GAM has handed over 1018 weapons, AMM has disqualified 178 and accepted 840. The following day the GAM leadership assured in writing that they had fully disarmed and there are no more GAM weapons in Aceh. The Government of Indonesia accepted 769 of these weapons but declared themselves satisfied with the results and GAM's assurance that all their weapons have been decommissioned¹.

The Government of Indonesia has also met its obligations under the MoU. The total number of non-organic TNI personnel that relocated in the fourth and final phase was 6811, with the last troops leaving on 29 December and the total number of BRIMOB/POLRI personnel relocated was 2150, the

last ones leaving on 31 December 2005². Throughout the four phases of relocation, the Government side will have relocated around 25,000 non-organic TNI personnel and 5,700 non-organic police forces.

The Reintegration Process

Economic facilitation is foreseen in the MoU for former combatants, amnestied political prisoners and affected civilians. A reintegration fund under the administration of the authorities of Aceh has been established.

The Government of Indonesia has committed itself to economic facilitation measures for former combatants while GAM has undertaken to demobilise all its 3,000 combatants. The first instalment of one million rupiah per person (approximately US\$ 100) for 3,000 former GAM combatants was finalised on 12 October and the second instalment was finalised on 18 November. More payments are foreseen from the Government.

¹ On 27 September 2005, the first phase of the decommissioning was successfully completed. A total of 279 arms were handed over by GAM and 243 were approved by AMM. The second phase of the decommissioning of GAM armaments was successfully carried out between 14 - 24 October 2005. GAM handed over 291 weapons out of which 233 met the criteria required by AMM. The third phase of decommissioning took place between 14 -29 November 2005. GAM handed over 286 weapons and AMM accepted 222 of these.

² During the first phase 6,669 non-organic TNI troops and around 1,300 Police personnel were relocated out of Aceh. The second phase of re-location of TNI and Police personnel was successfully carried out between 14 - 24 October 2005. A total of 1,050 police and 6,097 non-organic TNI personnel departed the Aceh province. The third phase of relocation saw the departure of 5,596 non-organic TNI troops and 1,350 Police / Brimob personnel.

The Government of Indonesia has provided, and distributed through IOM, an initial reintegration package for ex-prisoners, consisting of two million rupiah and personal effects. This has, in the most part, been distributed to GAM members on their release from prison, with the exception of remission prisoners. A second package was distributed in the beginning of December. Under the terms of reintegration, there will be an additional package of 1,5 million rupiah to be paid 135 days after the first payment.

The Government has further planned for education, vocational training and land allocations for former GAM combatants. It has also promised job opportunities for ex-GAM members and victims of the conflict and to synchronize the reintegration program with the post-tsunami reconstruction programme in Aceh.

Amnesty

On 17 August 2005 the Government of Indonesia released 298 GAM members from prison in connection with the annual amnesty on Indonesian Independence Day.

Since the signing of the Memorandum of Understanding in Helsinki on 15 August 2005, a total of 1,736 prisoners have been released. This includes GAM members incarcerated in prisons within the province and also those

who had been transferred to prisons in Java. Around ninety GAM members remain in prison. The status of these prisoners is regularly discussed in constructive meetings between the two parties and in the presence of AMM. The key issue for these disputed cases is to determine if the charges are related to GAM activities or not.

On 31 August, 1,424 GAM prisoners were released as a direct result of the MoU Article on amnesty. A further 14 prisoners have since been released.

Human Rights

Under the terms of the MoU, AMM is tasked, through the department for Amnesty, Reintegration and Human Rights, with monitoring the human rights situation, and to provide assistance in this field. Monitoring is limited to violations related to the provisions of the MoU, which have occurred after 15 August 2005. Monitoring is further focused on the reintegration of GAM and the general human rights atmosphere in Aceh. The implementation of civil and political rights and economic, social, and cultural rights are of particular concern, since they directly relate to the reintegration effort and the future of Aceh.

Monitoring is executed on various levels. On the district and lower levels working relations are established with the local

administrative, religious and security authorities and also with representatives from local civil society groups and international organisations. AMM follows up on individual complaints and on more general issues. Problems are preferably resolved on the local level. However, in the case of a stalemate the matter will be taken to the appropriate next higher level.

Initially issues relating to the security arrangements in the MoU were taken up in the COSA (Commission for Security Arrangements) at province level. Gradually, more issues, including human rights related issues, were included to be discussed in this forum. The COSA has been copied to lower levels in the form of DiCOSAs (District Commission on Security Arrangements). Functional working groups are established through this platform.

Law on the Governing of Aceh

As stipulated in the Helsinki MoU, 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. All parties have agreed to cooperate in formulating a new law. In the beginning of December a consolidated draft Law on the Governing of Aceh was sent to the government in Jakarta who will in turn submit it to the House of Representatives (DPR) for discussion

and approval. The draft sent to Jakarta has been discussed and formulated by several Universities in Aceh, the regional parliament, civil society, GAM representatives and religious leaders. The local elections due to take place on 26 April 2006 depend on the LoGA being adopted.

Towards a Future Model for Crisis Management

As the EU's first European Security and Defence Policy (ESDP) mission in Asia, the AMM is an expression of the EU commitment not only to the peace process in Aceh but also, I would suggest, to peace and stability in the region as a whole. Our excellent cooperation with our Association of South-East Asian Nations (ASEAN) colleagues is a further step in the partnership that the EU is building with South-East Asian countries.

In every part of the mission, we have fully integrated teams of EU and ASEAN monitors. Over forty of our Asian monitors are Muslim and many of them speak the Indonesian language. The ASEAN participation allows for a regional legitimacy of the mission and they also have a better understanding of the local culture and customs. On the other hand, we Europeans have a larger experience from previous missions and this mutually reinforcing cooperation has already proven its worth.

It has been said that no other

mission has ever been deployed more quickly. During negotiations in Helsinki both the GoI and the GAM agreed that they would like to see a monitoring presence in Aceh immediately after the signing of the MoU. It is crucial to be able to deploy quickly. We were able to get our first monitors on the ground by 15 August. This could be the standard for future EU missions. It is definitely one of the lessons that we will take with us.

AMM is breaking new ground for future ESDP missions and we like to think it will change the way the EU conducts crisis management operations. The AMM has a unique mix of competencies, drawing on both civilian and military experience. This mix is quite interesting and well adapted to the operation. What this mission is doing is using its diverse knowledge to successfully perform its tasks. The future of crisis management may lie more in effective demobilisation, decommissioning, reintegration and human rights monitoring than in traditional peacekeeping. This implies a need for a broad range of instruments and expertise, something that the EU is increasingly showing that it is capable to provide.

In this context, I believe the AMM represents an invaluable opportunity for the EU to demonstrate its capacity to rapidly

launch a complex mission within its European Security and Defence Policy (ESDP) and to combine a decommissioning, demobilisation and reintegration (DDR) process with post-catastrophic reconstruction, thereby implementing a coherent action across its institutional pillars. In other words, it is a good example of how practical collaboration between the various EU institutions, in particular the European Commission and the Council, can strengthen the impact.

A Long Term Commitment from the EU

The EU has supported the rehabilitation and reconstruction needs in the countries affected by the tsunami. EUR 200 million was committed for the rehabilitation and reconstruction needs of Indonesia alone for 2005-6. Planned EU Member State contributions amount to an additional EUR 391 million. The European Commission Humanitarian Co-ordination Office (ECHO) has channelled EUR 40 million worth of relief assistance to tsunami victims. Excluding tsunami assistance, total EU aid (EC+25) amounts to EUR 200 million per annum. In addition, the European Commission's "Country Strategy Paper" for Indonesia (2002-2006 period) foresees commitments of over EUR 215 million covering different development sectors over

that period. The disbursements foreseen in 2005 for Indonesia are in the order of EUR 75 million.

The European Commission will further support the Aceh peace process through other measures including: support to re-integration of former GAM combatants into civilian life and democratic political life; support to persons displaced by the conflict and to returnees from third countries; EU observation of local elections in 2006; technical assistance and capacity-building in public safety, local governance, human rights and municipal elections. Police training for the organic forces remaining in Aceh will also be provided.

Future Challenges

There are still some important challenges ahead. The Law on the Governing of Aceh has to be passed by the Parliament in Jakarta and a date for local elections has to be confirmed. The reintegration of former GAM combatants must continue and it is of utter importance to find work for these people so they can reintegrate back into society and take care of their families.

Concluding Remarks

Most important of course, is that the peace process is on track. It is quite amazing to see former bitter enemies chatting to each other during decommissioning of GAM weaponry. Under a series of peace concerts, taking place throughout the region, local GAM representatives and TNI (Army) commanders have appeared jointly on stage, praising the peace, releasing peace doves and hugging each other publicly in front of ecstatic audiences. Also in the more formal meetings of the Commission on Security Arrangements (COSA), one can easily spot the commitment shown by both parties. This positive spirit is indeed rewarding for us monitors and we really feel that we make a difference and that we are contributing to something meaningful.

There is a lot at stake for the people of Aceh and keeping the tsunami tragedy in mind, we in the AMM, together with our Goals and GAM partners are doing our utmost to show that, one year after this horrible natural disaster, we are on an almost irreversible path for a sustainable peace in Aceh. □