

The Role of the Third Party in Resolving the Conflict in Aceh

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Abstract

This paper aims to answer how Henry Dunant Centre (HDC) and Crisis Management Initiatives (CMI) can be engaged to facilitate the settlement of the conflict in Aceh between the Indonesian government and GAM. In international relations, the role of official diplomacy or first track diplomacy is not always successful in resolving conflicts, especially internal conflicts. Therefore, internal conflicts are usually resolved not through official institutions but by international non-governmental organization (NGO) known as un-official diplomacy or track two diplomacies. Flexibility and neutral nature make NGO becomes easier to be involved and accepted by all parties without being tied to the protocol or the fear of lack of recognition in sovereignty and legitimacy. NGO focus full concentration to the problems he was facing made him better able to understand the problems and relatively unencumbered by limitation of time. The risk faced when facilitating or mediating role he did fail was not too heavy, for the NGO itself and for the parties involved in the conflict. It became reason why HDC and CMI more accepted as third party actor to resolve internal conflict than any other official actors. By using peacemaking as framework of conflict resolution offered by Johan Galtung, this paper shown HDC and CMI successfully held some mediation and negotiation between GAM and RI in January 2005 by brings the result with the signing of a Memorandum of Understanding (MoU) GAM and Government of the Republic of Indonesia in August 2005. The signing of MoU draft is an achievement that very important and essential for conflict resolution in Aceh.

Keywords: Third Party, Conflict Resolution, Peacemaking

Introduction

Throughout the 20th century the study of international relations is filled by the study of inter-state conflicts (interstates conflict). But the post-Cold War it was changes in the international system of the existing conflict, namely the shift from inter-states that traditional conflict or war between sovereign states to the conflict in the country known as intra-conflict states. In Indonesia there is a variety of internal conflict (intra-state conflict) whether the issue of ethnic background, religion or uprising for independence. One of the many conflicts that get a lot of attention internationally is an armed conflict between the Government of the Republic of Indonesia (RI) by an armed group Free Aceh Movement (GAM) or Aceh Sumatra National Liberation Front (ASNLF), the promoter of military force Aceh Movement. This conflict has been rolling ever since 1967 when GAM was first time proclaimed.

Since joining the Republic of Indonesia, Aceh almost identical with many problems of human rights and other humanitarian issues. In historical views, after the Aceh joined with RI, these regions often have bloody events. Beginning with the social revolution in 1945-1946 that killed 1500 people, then the events of the Darul Islam rebellion Islamic Army of Indonesia (DI/TII) in 1953-1962 that was killed 4000 people, up to the events of the rebellion by GAM responded with a Military Operations Area (DOM) by the Suharto regime in 1989-1998 that killed 5,000 people. These events lead to prolonged suffering of the people of Aceh.

The seeds of conflict in Aceh came from a sense of injustice felt by the people of Aceh to the central government. Aceh dubbed the capital region because of the patriotism shown during the war of independence and invaluable contribution to the Indonesian government at the beginning of this independence moment. It was proven by the contribution of two aircraft to the central government during the 3 years of Indonesian Republic independence. In 1949, the people of Aceh also contributed 250,000 US dollars to the Indonesian Armed Forces, which incidentally is the forerunner of the military, and also another 250,000 US dollars for the Soekarno government.

The natural resources of Aceh also have been donated to the central government, in order to achieve solidarity independence, but many Acehnese was not appreciated. The disappointed of Acehnese also become the reason the birth of the Free Aceh Movement (GAM), which was founded by T. Moh. Hasan Tiro in 1976. Civil emergency and martial law that was established by the central government has resulting the destructions in various parts of Aceh, included the killing of civilians until the Aceh earthquake and tsunami in December 26, 2004 that was devastated Aceh in extraordinary disaster. These explain above is main reason for HDC and CMI to pay great attention to solve the conflict in Aceh.

Theorictrical framework and research method

Peacemaking as part of conflict resolution concept offered by Johan Galtung becomes relevant to explain how the role of HDC and CMI in solving conflict in Aceh. Peacemaking usually refers to diplomatic efforts to end violence between conflict parties and to achieve a peace agreement. International or national peace agreements may contain

demobilization commitments or regulations on the future status of conflict parties. As stated in the United Nations Charter, peacemaking strategies range from negotiation, mediation and conciliation, to arbitration and judicial settlement. Sometimes economic sanctions or even military interventions to end the use of force in a conflict are considered as part of peacemaking. Civil society organizations involved in peacemaking mostly rely on non-violent strategies such as negotiation and mediation. Peacemaking is a process which aims unite or reconcile political and strategically attitude of the warring parties through mediation, negotiation, arbitration, especially at the elite level or leadership.

Result and explanation

HDC Efforts in Conflict Resolution

There were five way as efforts of Henry Dunant Center in managing conflict resolution in Aceh.

- a. Humanitarian Pause; for this initial phase, HDC doing the pre-negotiation step, which is a period within a limited time frame in preparation for negotiations. While the pre-negotiations ended when the warring parties agreed to step up to the formal negotiation process, where there is a process of mutual exchange of proposals that can be accepted by both parties or when one party considers the negotiations as a necessity.

Pre-negotiation phase of the conflict in Aceh was conducted in three rounds of informal meetings and facilitated by HDC in aims to finalize the draft provisions to be taken and produce a joint of Understanding for Humanitarian Pause. The purpose of the Humanitarian Pause is to reduce the tension and suffering of the people of Aceh, also develop public trust to make an understanding together in their joint efforts towards the achievement of a peaceful settlement of the conflict situation.

- b. Provisional Understanding; in early January 2001, RI and GAM representatives met in Swiss. This is the first meeting that approved the settlement discussions about conflict in a political solution to this meeting they agreed on the establishment of a moratorium of for one month post Pause humanity II. In addition, the representatives also agreed to establish a Joint Council that was driven by the HDC to review the developments, explaining the issues arising by way of democratic consultation, and ensuring compliance of all parties to the agreement.
- c. The Wise Man; an important point occurs when the Wise Man (Ambassador of Yugoslavia for Indonesia, Foreign Minister of Thailand) join in the dialogue meeting process in February and March in 2002 to provide counseling on the negotiation process, especially regarding the points to not come out of the negotiations and remain consistent in peace efforts that have been initiated.
- d. Joint Statement; the meeting between the Indonesian government and GAM held on 2-3 February 2002 in Switzerland. That address the problems of special autonomy in Aceh, which then struck a deal again about the existence of a timetable for the next dialogue will be centered on autonomy, stop hostilities agreement, the implementation of the All- Inclusive Dialogue, and the elections were inclusive and transparent.

- e. Cessation of Hostilities Agreement (CoHA); CoHA signing was held on December 9, 2002 and was attended by a delegation of the Indonesian government, GAM delegates, NGO representatives, representatives of the diplomatic community, and international media. Furthermore, this text signed by the three parties, namely the representatives of Indonesia, GAM and HDC as mediator. In core of basic meaning, CoHA is the cessation of hostilities agreement, all-inclusive dialogue as dialogue forum that involving all elements of Acehese society and democratic elections in Aceh.

But after the five steps, the two sides cannot find a way out of conflict, and on March 18, 2003 President Megawati re-implement martial law in Aceh with the issuance No.28 / 2003 about the dangers statement. Imposition of martial law can be said to be a step backwards during the processes of conflict resolution Indonesian government has ever done, because military approaches or violence again become an option for the government of Indonesia Republic.

Mediation Process by Crisis Management Initiative (CMI)

After the failure of the HDC, the other party mediation to try to defuse the conflict between Indonesia and GAM is the Crisis Management Initiative (CMI). CMI started to initiate peace talks in Aceh in January 2005. Various meetings and informal dialogue has managed to discuss and bring together the most sensitive issues between Indonesia and GAM. GAM willing to pull demand for independence and accept special autonomy. Along of the process, the conditions in Aceh's own level of security began to improve and the government to change the civil emergency status. On August 15, 2005, agreed to a memorandum of understanding for peace between Indonesia and GAM in Helsinki.

By the election of former soldiers who have an open view, Susilo Bambang Yudhoyono as president in elections in 2004, the prospects for a peaceful resolution to the conflict in Aceh become better. In short time after taking office, Kalla asked to approach the GAM leaders regarding any peace to end the conflict. Because of the tsunami in 2004 were killed more than 150,000 people. Tsunami also a considerable blow to the combatants on both sides both GAM and the Indonesian army. In the end it was the catalyst that brought both parties to the peace table to a peace agreement and facilitate the recovery process in Aceh. In the process of peace negotiations the conflict in Aceh, the Indonesian government representatives and representatives of the Free Aceh Movement met for negotiations. CMI was chosen as mediator because its leader is a former president of Finland, Martti Ahtisaari.

The negotiation was taken place in the city of Helsinki, Finland, between January and August in 2005, these negotiations bring the results of the signing of the Memorandum of Understanding (MoU) between the Free Aceh Movement (GAM) and the Government of the Republic of Indonesia. This agreement consists of six subjects with regard to the Implementation of the Government of Aceh, Law on implementation of the Government of Aceh, Political Participation, Economy, and Legislation, Human Rights, amnesty and reintegration into society, Security Settings, Forming Monitoring Mission Aceh, and dispute resolution.

CMI as a mediator is able to position itself well because he is from the neutral coming from NGOs, and did not have any political interest so that he was able to be neutral. After the first round, when Ahtisaari felt that the positive results achieved he approached the European Union, which agreed to fund the rest of the conversation. The European Union also played a key role in implementing the MoU to establish the Aceh Monitoring Mission (AMM) in collaboration with the Association of Southeast Asian Nations (ASEAN). The achievement of the negotiations between Indonesia and GAM from the first round until the fifth round, and signing MoU draft on the fifth round of negotiations, is an achievement that is very important and essential for conflict resolution in Aceh.

Conclusion

The case of Aceh enables us to identify non-governmental actors in various roles in peace processes. These actors can be pressure groups that make violence and human rights violations costly. They can even be as the Henry Dunant Centre and the CMI-Crisis Management Initiative, as facilitators, mediators and implementers of peace processes. In case of donor groups, nongovernmental actors can have crucial roles in the transformation of economic structures of conflict, and they can help create the transparency needed for any peace process. This paper just wants to emphasize those non-governmental actors in various roles in peace processes through HDC and CMI is a form as mediator and facilitator of peace processes in Aceh. Results explanation of the role of third party in resolving conflict in Aceh may experience a difference if written by other researchers which notice from a different perspective.

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