

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Please provide information outlining the current situation in Aceh.**
- 2. Please advise the situation in relation to past supporters of the Free Aceh Movement (GAM), and their return to the area?**
- 3. Please advise if there are any reports of locals returning from Australia who are then targeted by criminal gangs due to a perception of those persons now being wealthy?**
- 4. Please provide information on the current situation of Acehese living in Medan, North Sumatra, and whether any impediments exist that restrict Acehese from taking up residence in Medan. If the situation in Medan appears unsuitable for Acehese please also provide information on the current situation for Acehese in Jakarta as well as possible restrictions on residency.**

RESPONSE

- 1. Please provide information outlining the current situation in Aceh.**

The available information indicates that violence has been increasing over recent months in Aceh. A *South China Morning Post* article, dated 29 April 2008, states: “The World Bank’s Aceh Conflict Monitoring Programme said that last December local-level violence rose to its highest level since January 2005.” Most recently, the media has reported that six former GAM members were killed in March 2008. The incident occurred over a local dispute and was not an isolated event. This suggests that the reintegration of former GAM combatants and members into their local communities is posing some problems, vindicating concerns expressed earlier by ICG and others. The unresolved issues include reintegration funding distribution, and lack of jobs and resources. Despite aid money, which is described as “pouring into Aceh”, this is affecting the delicate social cohesion established after three decades of war. Secessionist movements have also resurfaced. A World Bank conflict update

states: “The incident occurred against a backdrop of heightened political tensions, with the reappearance of old moves to partition Aceh by creating two new provinces”. It appears that this is mainly affecting the central provinces. Although some commentators have expressed concerns that the communal tensions will result in a return to conflict, the latest conflict update from the World Bank describes the situation in Aceh as “remain[ing] on the whole safe and stable” (‘Security Situation in Aceh: Power Struggle Erupts in Violence’ 2008, Aceh-Eye website, source: *South China Morning Post*, 29 April http://www.aceh-eye.org/a-eye_news_files/a-eye_news_english/news_item.asp?NewsID=8845 – Accessed 30 April 2008 – Attachment 1).

Previous research responses that provide detailed and relevant information on Aceh and GAM are:

- *Research Response IDN31676*, dated 17 May 2007, which provides information on the then-current situation in Aceh; including activities of GAM, the impact of the signing of the Helsinki Memorandum of Understanding (MOU) and the passing of the 2006 Indonesian Law on Governing Aceh (RRT Country Research 2007, *Research Response IDN31676*, 17 May – Attachment 2);
- *Research Response IDN30882*, dated 1 November 2006, provides information on factional splits within GAM, and current information on the progress of the Aceh Governance Bill of July 2006 (RRT Country Research 2006, *Research Response IDN30882*, 1 November – Attachment 3).

International Crisis Group’s (ICG) Crisis Watch Indonesian database recorded the following incidents in relation to Aceh over the past year (set out in reverse chronological order):

- **March 2008.** At least 5 killed in attack by unidentified mob on Aceh Transition Committee (KPA) office in Atu Lintang, Aceh;
- **January 2008.** Failure by Jakarta to release \$45m in reintegration funds by end 2007 threw Aceh Reintegration Agency into further disarray;
- **October 2007.** Crackdown on illegal weapons in Aceh after several high-profile armed robberies and murders by GAM members;
- **September 2007.** 26 injured in clashes 1 September at swearing-in of new district chief in Southeast Aceh;
- **August 2007.** Aceh Governor Irwandi announced plans 15 August for truth and reconciliation committee, but cited as legal basis law struck down by constitutional court December 2006. 2 homemade bombs exploded 1 August near Southeast Aceh parliament; no casualties;
- **July 2007.** Former members of Aceh’s separatist rebel movement GAM established local political party under GAM negotiator Tengku Nazaruddin;
- **June 2007.** District election campaign in Bireuen district, Aceh marked by low-level violence; GAM candidate won with over 60% of vote;

- **May 2007.** Rise in violent incidents in Aceh continued, including armed robberies and grenade attacks (International Crisis Group 2008, *CrisisWatch Search Results: Indonesia*, ICG website, 1 April http://www.crisisgroup.org/home/index.cfm?action=cw_search&l=1&t=1&cw_country=49&cw_date – Accessed 6 May 2008 – Attachment 4).

The following reports published in 2007 and 2008 provide pertinent information on the current situation in Aceh:

- US Department of State 2008, *Country Reports on Human Rights Practices for 2007 – Indonesia*, March – Attachment 5;
- International Crisis Group 2007, *Aceh: Post-Conflict Complications*, Asia Report N°139, 4 October – Attachment 6;
- International Crisis Group 2007, *Indonesia: How GAM won in Aceh*, Asia Briefing N°61, 22 March – Attachment 7.

The World Bank's Conflict and Development Program in Indonesia releases a periodic Aceh Conflict Monitoring Update (see: <http://www.conflictanddevelopment.org/page.php?id=4402> for past updates from August 2005). The latest update covers the period from 1 January 2008 to 29 February 2008. According to this, the situation in Aceh remains safe and stable on the whole; however, there have been rising levels of violence since December 2007. The relevant extract follows:

The situation in Aceh remains on the whole safe and stable. However, the rising levels of violence recorded since December of last year, including a number of incidents involving or targeting KPA, show that enduring peace is not yet assured. On March 1st, five were brutally murdered in an attack on the Atu Lintang KPA office, in Aceh Tengah.² This is the largest loss of life in a single conflict incident recorded since the Helsinki MoU. The massacre sparked widespread concern that it could lead to escalation and a worsening of communal tensions in the ethnically heterogeneous central highlands. Authorities, security forces and KPA have all helped to contain potential spillovers, and the peace process appears to have proved strong enough to survive its most serious blow so far. The incident occurred against a backdrop of heightened political tensions, with the reappearance of old moves to partition Aceh by creating two new provinces, ALA and ABAS. The issue shows how, while key provisions of the MoU and the Law on Governing Aceh (LoGA) are not fully agreed upon or implemented, room remains for opportunistic elites to seek advantage and for tensions to rise. Overall levels of violence remained high in January, and reached a new peak in February, with 30 violent cases. They resulted in four deaths over the two months, not including the five deaths in Atu Litang, while 47 were injured. In February, conflicts over access to resources and corruption allegations also hit a peak since October 2006, underlining the growing frustration of communities with persistent economic pressures. Disputes between rivals competing for markets, customers, or employment were especially likely to lead to violence. Finally, Partai GAM's abandonment of the name and symbols of the former separatist movement, and the creation of the Commission on Sustaining Peace in Aceh (CoSPA), show encouraging attempts at better collaboration between GAM and Jakarta, although they also underline the persistence of mutual suspicions and divisions within GAM's elite (Clark, S. Palmer, B. & Morrel, A. 2008, 'Aceh Conflict Monitoring Update: 1st January – 29th February 2008', World Bank Indonesia Conflict and Development Program website, 4 April <http://www.conflictanddevelopment.org/data/doc/en/regCaseStudy/aceh/mon/Aceh%20Conflict%20Monitoring%20Update%20-%20January%20February%202008.pdf> – Accessed 30 April 2008 – Attachment 8).

Edward Aspinall, in the latest edition of *Inside Indonesia*, discusses Aceh's transformation since the August 2005 Helsinki peace accord. Aspinall notes that despite the advent of democracy, the legacy of the war will remain for many years, and "Aceh is a traumatised society". On Aceh's "contemporary challenges", Aspinall states:

Like other post-conflict societies, Aceh confronts the problem of how to accommodate (or 'reintegrate' as the peace-building lexicon would put it) the former GAM combatants. During the war years, GAM fighters became experts at raising funds not only from voluntary contributions but also in the black economy and by extortion. Gangsterism is now rife in Aceh, and the perpetrators are often former GAM fighters. Many of the low-level violent incidents that plague Aceh today are related to competition for economic resources among former fighters. Higher up the food chain, some key former commanders are transforming themselves into a parasitical business elite, enriching themselves by gaining favoured access to government contracts and licences.

Conflict with the central government has also not disappeared; it has simply taken non-violent form. In 2006, the Indonesian parliament passed the Law for the Governing of Aceh (LoGA). GAM supporters thought this should provide for almost unfettered Acehnese 'self-government'. Yet in reality Indonesia in some respects remains highly centralised. From control over hydrocarbon revenues to seemingly petty (but in fact crucial) areas like the right to hire and fire public servants, there are ongoing disputes between the governments in Aceh and Jakarta. Even when it came to registering a new local political party for former GAM members, the central government insisted it could not use the word Free (Merdeka) in its name.

Many other issues could trigger fresh conflict. In the centre, south and west of the province, some are campaigning for the formation of new provinces that would split from Aceh. They claim this will redress decades of neglect of these areas. Acehnese nationalists reject this stand – mostly without recognising the irony – saying that Aceh has always been an indivisible unity and should not be broken up. They also point to the fact that at least some of the leaders of these new province movements aligned with anti-GAM militias during the conflict years, and they mutter darkly about hidden plans to spark new violence (Aspinall, E. 2008, 'Basket case to showcase', *Inside Indonesia*, issue 92, April-June <http://insideindonesia.org/content/view/1071/47/> – Accessed 1 May 2008 – Attachment 9).

The following selection of media articles report on the March 2008 killing of a number of former GAM members, and analyse this incident in the context of recent events and the overall situation of Aceh since the 2005 peace deal.

A *South China Morning Post* article, dated 29 April 2008, states:

In early March, a 100-strong mob torched an office of the Aceh Transitional Commission, the body created to succeed GAM.

The attack, which took place in the remote Atu Lintang area, left six people dead and was the deadliest since the 2005 peace deal brought an end to decades of fighting between separatists and government troops.

The incident was the latest in a series that highlighted the volatile security situation in the province, where former rebels had gained political power and were competing for the spoils of the peace.

Aceh has been flooded with post-tsunami reconstruction money. The province's coffers have also benefited from Indonesia's decentralisation programme and Aceh's status as a province

with special autonomy. District and sub-district administrators have a big say over how money is spent.

Governor Irwandi Yusuf said the attack was “probably rooted in the power struggle that followed the plans to form two breakaway provinces in Aceh”.

Ibrahim Syamsuddin, a spokesman for the former separatists, said the incident was related to a dispute between them and a local union over control of revenues from a local bus station. Besides the politically motivated violence, a marked increase in robberies and extortions has also made life difficult for the population and for those trying to implement the post-tsunami reconstruction projects.

Local analysts attributed the robberies and extortions mostly – but not exclusively – to low-ranking former GAM combatants who were unable to partake in the financial windfall through political channels.

The World Bank’s Aceh Conflict Monitoring Programme said that last December local-level violence rose to its highest level since January 2005.

The programme, which is yet to release figures for this year, said more than half of the incidents in December involved serious, potentially lethal forms of violence, including three murders and one murder attempt.

One casualty was Teungku Badruddin, a former GAM commander, killed in Sawang, Aceh Utara, on December 27. Also prominent were shootings and terror attacks, including the explosion of a grenade in front of the mayor of Bireuen’s residence.

The programme called the incidents “reminiscent of the conflict” and “a reminder that some groups remain resolved to use violence as a means to pursue their goals or voice their grievances”.

The violence started to rise seriously in the first quarter of last year. No one has been arrested for the attacks, and no witnesses have come forward (‘Security Situation in Aceh: Power Struggle Erupts in Violence’ 2008, Aceh-Eye website, source: *South China Morning Post*, 29 April http://www.aceh-eye.org/a-eye_news_files/a-eye_news_english/news_item.asp?NewsID=8845 – Accessed 30 April 2008 – Attachment 1).

A March 2008 article by *The Straits Times* states:

AFTER more than two years of peace, a particularly violent incident in a remote highland area of Aceh has focused attention on the prospect of fresh conflict in the troubled province. But instead of fighting Jakarta’s military, recent events suggest the possibility that Aceh’s rival ethnic groups may soon be facing off against each other.

Ethnic tensions can certainly be expected to mount in the coming months as the nation’s Jakarta-based political parties take advantage of local divisions in order to garner support in the run-up to next year’s elections.

On March 1, six members of the organisation that led the independence struggle from 1976 until the Helsinki peace agreement with Jakarta in August 2005 were brutally murdered by a mob in the remote Atu Lintang area of the central highlands. Reports say that at about 1.30am local time, hundreds of people attacked the offices of the Aceh Transitional Commission (KPA) – previously known as the Gerakan Aceh Merdeka (GAM). Overwhelming police officers at the scene, the mob hacked the victims to death and torched the building.

Mr Ibrahim Syamsuddin, a spokesman for the former separatists, quickly demanded that the police 'uncover the truth' behind the incident. 'If they do not,' he declared, 'a new conflict will erupt in Aceh.'

He acknowledged that the incident had a very specific cause – a dispute between the KPA and a local union over control of lucrative revenues from a local bus station – but he also hinted at a wider problem. Many of the attackers, he said, were former members of pro-Jakarta militias blamed for much of the violence against separatists and their civilian sympathisers during the conflict with Jakarta.

Most of the inhabitants of Aceh's central highlands belong to ethnic minority groups that have long felt alienated from the Acehnese majority. Culturally and linguistically distinct from coastal Acehnese, these Gayo and Alas ethnic communities have traditionally had more in common with the inhabitants of Sumatran provinces further south.

During the decades of conflict, highlanders were known for their loyalty to the central government. In 2002, when President Susilo Bambang Yudhoyono was the minister of security, he toured the area and thousands of residents turned out to greet him. Significantly, they also renewed a longstanding request to split from Aceh and form a separate province. Consisting of five of Aceh's regencies, it was to be called Leuser Antara after the Leuser National Park, a large area straddling the provinces of Aceh and North Sumatra. Highland leaders continued to press their claim after the 2004 tsunami, which left highland areas untouched but resulted in 160,000 deaths in coastal areas.

In January this year, the House of Representatives (DPR) in Jakarta unanimously recommended the creation of eight new provinces, including Aceh Leuser Antara and Aceh Barat Selatan. Like the former, the latter (in south-west Aceh) includes several minority ethnic communities. The legislative endorsement, however, was not legally binding on the Aceh administration.

Proponents of the partition argue that the move is necessary to improve the welfare of the inhabitants of the regencies concerned. But while the relevant areas are admittedly underdeveloped, the Jakarta-based parties have a more important reason for supporting the creation of the new provinces.

Now that former rebels have been allowed to participate fully in the political process, nationalist groups such as the Indonesian Democratic Party of Struggle (PDI-P) stand to lose considerable support in Aceh during next year's elections. Campaigning in favour of the division of the province gives such parties a platform that should guarantee them votes in at least some areas.

'They (the political parties in Jakarta) are simply taking advantage of the issue,' argued political analyst Fajran Zain of the Aceh Institute.

Aceh Governor Irwandi Yusuf, a former GAM separatist leader elected in 2006, is strongly opposed to the dismemberment of his province. He argues – with some justification – that splitting up Aceh goes against both the spirit and the letter of the 2005 Helsinki Accord.

While the governor may have neither the means nor the desire to use force to discourage local leaders from pressing their demand, he is not solely in control of the situation.

The KPA is split into various factions. With unemployment and poverty remaining high throughout the province, many former separatists and militia members may be inclined to take out their frustrations on each other.

Some groups have already turned to gang warfare. Reports say that the main road connecting the provincial capital of Banda Aceh with Medan (capital of North Sumatra) has seen an increase in armed robbery and extortion.

Frustration with the slow implementation of the Helsinki Accord has also angered many former GAM fighters. The Aceh Reintegration Agency, tasked with handing out money and land to help ex-combatants and conflict victims begin a new life, has yet to complete its task. Local officials blame insufficient financial support from Jakarta.

Meanwhile, attempts to heal the wounds of the past by establishing a truth and reconciliation commission have been delayed by a constitutional court ruling that annulled the 2006 truth and reconciliation law.

‘Politically motivated violence is certainly possible,’ noted Dr Achmad Humam Hamid, a sociologist at Syiah Kuala University in the provincial capital Banda Aceh. He hastened to add, however, that he does not believe it would become widespread.

Mr Fajran argued that much would depend on how the governor handled the situation.

‘Mr Irwandi should talk to the highland leaders personally instead of making statements through the media,’ he said.

Speaking to *The Straits Times* last week, Dr Humam took heart from the fact that there did not appear to be any specific link between the recent violence in Atu Lintang and local demands for the establishment of a new province.

‘In the end,’ he declared, ‘Aceh will survive’ (Gale, B. 2008, ‘Ethnic strife brewing in Aceh’, AsiaOne website, source: *The Straits Times*, 14 March <http://www.asiaone.com/News/The%2BStraits%2BTimes/Story/A1Story20080314-54383.html> – Accessed 1 May 2008 – Attachment 10).

A *Christian Science Monitor* article, dated 13 March 2008, reports on the recent killing of five former GAM members. The article suggests that this may have happened in the context of a recent secessionist movement to form new provinces in the central region and in the south. Pertinent extracts follow:

...No evidence has yet tied the March 1 killing of five former rebels of the Free Aceh Movement (GAM) to the breakaway efforts. But in Aceh’s central highlands, many residents deeply distrust former members of GAM, which negotiated a peace deal after the tsunami and won the provincial governorship in 2006 elections.

The breakaway efforts poses a serious challenge to Gov. Irwandi Yusuf, himself a former GAM rebel who once agitated for Aceh’s independence from Indonesia and whose movement broadened autonomy for Aceh in the peace deal. It would test his government’s authority and disperse Aceh’s rich resources of timber, minerals, oil, gas, and arable volcanic soils.

Analysts say the movements, which date back to 2002, are fueled by the self-interest of local politicians who could increase their budgets as each province qualifies for central government funds. “It’s about resources,” says Sidney Jones, of the International Crisis Group in Jakarta. “People who want new provinces stand to get that money.”

...Against this backdrop, a dispute over control of the Takengon bus terminal between former GAM rebels and the transport workers union – many of them former members of pro-Jakarta militias – boiled into the violence that killed five former GAM members.

A spokesman for the former rebels, Ibrahim Syamsuddin, characterized the incident as bait to undermine the government. "People are fishing for new conflict," he said. Leaders of the movements condemned the violence. But Monday, when Governor Irwandi went to install two district leaders in southwestern Aceh, he met pro-secession banners (Brooks, O. 2008, 'Breakaway bids test Aceh's post-tsunami peace deal', ReliefWeb website, source: *Christian Science Monitor*, 13 March <http://www.reliefweb.int/rw/rwb.nsf/db900sid/MUMA-7CP5DX?OpenDocument&rc=3&cc=idn> – Accessed 30 April 2008 – Attachment 11).

A *Canberra Times* article, dated 10 November 2007, states that "[o]f all the trends that have emerged in Aceh over the past year, perhaps the most worrying is the increasing level of conflict." The article continues:

The World Bank publishes a monthly report, the Monitoring Conflict Update, which measures the number of administrative disputes and violent incidents that occur in the province. In the six months surrounding the signing of the Memorandum of Understanding in August 2005, the average number of conflicts per month was below 20. The number of conflicts peaked in March this year at just fewer than 140 and has so far this year averaged at around 100 incidents per month. World Bank consultant on conflict Adrian Morel said that the reversion.

...to low-level violence and squabbling is common in any post-conflict area. But there can be no denying that the increase in conflict in Aceh has been particularly acute this year, and for Morel this has been fuelled in no small part by the "changing political landscape". He said that 2007 has been a year of "struggle between powerful people within GAM or from outside GAM over positions in the administration, over access to contracts, over access to political resources."

...keeping control over the various GAM factions is a task that is becoming more difficult with every passing week. Three GAM-affiliated parties have already registered for the 2009 Indonesian national election with a fourth party, Sira, expected to formally register by the end of the month. For Morel, the key test for the new government was a recent month-long amnesty on illegal weapons. The amnesty, which expired two weeks ago, was designed to disarm the last of the resistance fighters, but has widely been seen as a measure of Irwandi Yusuf's willingness to crack down on renegade GAM factions. All eyes especially in Jakarta will be on the volume of violent incidents over the next couple of months to see whether the amnesty was effective. "[Indonesian] Police, security forces and military are looking at GAM as holding responsibility in the collection of illegal weapons," Morel said. "There is an association between criminality and the fact that GAM may or may not have surrendered all their weapons during the decommissioning phase. "Most likely they haven't" ('Aceh's uneasy peace' 2007, *Canberra Times*, 10 November – Attachment 12).

2. Please advise the situation in relation to past supporters of the Free Aceh Movement (GAM), and their return to the area?

Information indicates that many past supporters of GAM have returned to their villages; however face issues such as mass unemployment, lawlessness and distrust by other residents. Many Acehnese still reside in Malaysia, and while it is said that many of them want to return to Aceh, there exists a deep distrust regarding the peace process. Pertinent reports follow which provide details of the reintegration of former GAM members and supporters; Acehnese living in Malaysia; and the challenges of rising crime and lawlessness.

A March 2008 article by the *Christian Science Monitor* states that “in Aceh’s central highlands, many residents deeply distrust former members of GAM” (Brooks, O. 2008, ‘Breakaway bids test Aceh’s post-tsunami peace deal’, ReliefWeb website, source: *Christian Science Monitor*, 13 March <http://www.reliefweb.int/rw/rwb.nsf/db900sid/MUMA-7CP5DX?OpenDocument&rc=3&cc=idn> – Accessed 30 April 2008 – Attachment 11).

The ICG’s 2005 report titled ‘Aceh: So far, so good’ states the following in relation to the reintegration of former GAM members/supporters:

The peace process now has entered a critical stage on two fronts. The first of these involves the reintegration of former GAM members into civilian life. While many combatants have returned spontaneously to their communities, most are unemployed. Disagreement between GAM leaders and the government over whether cash payments to facilitate reintegration should be made directly to individual combatants or channelled through GAM commanders is holding up more comprehensive programs to establish new livelihoods. It also appears to be creating some friction within GAM itself. If the problem is not resolved, the danger in the long term is that bored or jobless ex-combatants will turn to crime or seek to resume fighting (International Crisis Group 2005, ‘Aceh: So far, so good’, ICG website, 13 December http://www.crisisgroup.org/library/documents/asia/indonesia/b044_aceh_so_far_so_good.pdf – Accessed 14 December 2005 – Attachment 13).

The most recent ICG report on Aceh, published in October 2007, provides information on the programs implemented and some of the issues facing the reintegration process. Pertinent extracts follow from sections III & IV:

A. Extortion and Violence

Reports of increased extortion began to surface soon after the elections, particularly in North Aceh. In January 2007, KPA [GAM’s armed wing, now called the Aceh Transition Committee (Komite Peralihan Aceh)] members at a meeting of village heads demanded a cut of Rp.13 million (\$1,300) per village from a donor project to build a memorial for dead combatants.¹¹ In February workers from a donor organisation were robbed at gunpoint in Seuneudon subdistrict while returning from withdrawing project funds from the bank; the perpetrators were believed to be KPA. Contractors and sub-contractors not linked to GAM along the east coast and in South and West Aceh districts report receiving local KPA demands for 10 to 20 per cent of their respective projects.

The only violent incident involving GAM and the TNI since the elections also started out as extortion and discredited both parties. On 21 March four soldiers from infantry battalion 113 were publicly beaten in Alue Dua village, Nisam, North Aceh. Most local press reports stated villagers had seen four men arrive the night before at a school being built by an international NGO. Word spread that they were intelligence agents, with guns under their shirts. The next day, villagers seized the four, beat them badly and expelled them from the village. Three days later, two truckloads of Indonesian army soldiers arrived and beat up fourteen villagers.

Slowly, details emerged that put the story in a somewhat different light. The four men were active duty soldiers moonlighting for a security firm hired to guard the school after attempts at extortion by the local KPA. KPA members organised the beatings, summoning local journalists to witness the “spontaneous” reaction to the supposed intelligence agents. The military accused the KPA; the local KPA denied it, saying only their intervention saved the four from a worse fate.¹⁴ The Aceh military commander, Gen. Supiadin, announced there would be no TNI retaliation but on 22 March, military police arrived in the village with the commander of North Aceh district seeking witnesses. No one dared to volunteer, so the

military police tried unsuccessfully to force a local journalist from the Banda Aceh-based *Harian Rakyat Aceh* to testify. On 24 March, soldiers entered the village and beat up fourteen men suspected of involvement, to the fury of local residents. An Acehnese remarked: “The TNI could have won this 1-0, but instead they let GAM have the goal”.

... IV. Reintegration

Ex-combatants are clearly not the only source of extortion, violent crime and resource extraction but they are an important one. It was in part out of fear of these very problems that the Indonesian government, GAM leaders and donors struggled to put together a number of “reintegration” programs aimed at providing alternative livelihoods to demobilised fighters, although it was always too simplistic to assume that employment or other benefits would prevent post-conflict violence.

Some have provided concrete, tangible benefits. Overall, however, the main government effort has been plagued by unclear goals, poor implementation and lack of transparency in a way that seems to have led as much to polarisation as reconciliation. A wholesale revamping in August 2007 may address some of the management problems but risks reinforcing the idea of reintegration as entitlement in a way that may foster local tensions (International Crisis Group 2007, *Aceh: Post-Conflict Complications*, Asia Report N°139, 4 October – Attachment 6).

A 2006 report titled ‘2006 Village Survey in Aceh: An Assessment of Village Infrastructure and Social Conditions’ by The Kecamatan Development Program, in association with the Ministry of Home Affairs and The World Bank in Jakarta, states that “[t]ensions may persist between those who fled and others in the villages, leading to significant social obstacles to return”. The report continues:

When asked to rate the level of trust between “those who just returned from the mountains” and others in the community, the majority chose to remain neutral, with 61 percent responding that trust was neither low nor high, and about 25 percent saying it was high or very high. In contrast, about 50 percent of respondents chose neither low nor high when asked to rate the general level of solidarity in the village, with around 40 percent saying it was high or very high. Trust levels appear to be higher when respondents are asked general questions about trust in the village, with 49 percent agreeing or strongly agreeing with the statement that most of villagers can be trusted. Even more agree or strongly agree with statements that villagers usually help each other and are willing to help others (58 percent and 76 percent, respectively). This combination of findings suggests that although trust levels are generally good, the residue from the conflict has not disappeared and peace-building work with GAM returnees must continue. Interestingly, there appears to be no correlation between the responses to questions concerning trust and solidarity, and the intensity of conflict.

...A major theme that emerges in this report is that, notwithstanding the progress that has been made in helping Aceh recover from the tsunami and conflict, enormous challenges remain that require major additional investment at the village level. The cost of repairing infrastructure is estimated to be Rp 12 trillion, or US\$1.3 billion. Furthermore, this accounts for only about 60 percent of the total damaged infrastructure in the province; a further 40 percent of reported damage was identified as being the result of lack of maintenance. Thus, total infrastructure repair costs could be as high as Rp 20 trillion, or US\$2.2 billion. Recovery on this scale will only move forward if all interested parties participate in the effort.

While a return to conflict appears remote, the lingering residue of the conflict and the potential for renewed conflict remain real. Although in many respects social conditions in Aceh are surprisingly good, it is important that these positive trends should not obscure the

fact that the residue of the conflict holds the potential to disrupt the peace process and recovery effort. A variety of indicators suggest that problems may lie not far beneath the surface. Communities realize that the successful implementation of the Helsinki MoU is crucial to their lives and prosperity in the next few years. Existing efforts to support the post-conflict peacebuilding process should therefore continue. Such efforts should include ongoing socialization regarding developments in the peace process, improving the availability of public services and explaining how these can benefit communities, equipping local leaders with accurate and up-to-date information on reintegration programs, and boosting ongoing efforts to improve security.

The recovery effort in Aceh should build on the province's strengths and the considerable progress that has already been made. This report shows that conditions in some areas have improved considerably. A majority of both conflict-induced and tsunami-induced IDPs have already returned to their homes of origin, and many of these IDPs are now living in their own houses. Most measures of social capital indicate that conditions are good: exclusion from public services is rare, respondents report reasonably high levels of trust in their communities, and a variety of mechanisms are used for resolving local issues. Continuing recovery efforts should build on these strengths.

The report continues (p.77):

Most respondents are neutral regarding the social trust between villagers and GAM returnees, and solidarity levels between villagers. The majority of respondents say that the level of social trust between villagers and GAM returnees was neither low nor high (61 percent). Around 7 percent responded "don't know" and 6 percent gave no response (Figure 5.22). The same tendency also prevailed for questions on social solidarity between villagers (Figure 5.23). Around 50 percent of respondents chose neither low nor high, while 3 percent responded "don't know" and 5 percent gave no response. This may indicate that respondents are still unsure about the future of the peace process. This might also suggest that issues related to GAM are still perceived as sensitive and thus the respondents, most of whom are local figures who can be easily recognized, choose to remain neutral to avoid potential problems (The Kecamatan Development Program 2006, *2006 Village Survey in Aceh: An Assessment of Village Infrastructure and Social Conditions*, pp.9-10 & 77 http://siteresources.worldbank.org/INTINDONESIA/Resources/226271-1168333550999/AcehVillageSurvey06_final.pdf – Accessed 6 May 2008 – Attachment 14).

Research Response IDN31676, of 17 May 2007, provides then-current information on the reintegration of GAM combatants and former prisoners. It includes information from ICG and The World Bank indicating that there are problems with reintegration, largely caused by lack of employment and resources. This has led to an increase in crime and dissatisfaction among conflict-affected communities which is testing social cohesion. More current information indicates that this situation generally has not improved and, in many cases, has worsened. Recent events also suggest that social cohesion is declining (RRT Country Research 2007, *Research Response IDN31676*, 17 May – Attachment 2).

3. Please advise if there are any reports of locals returning from Australia who are then targeted by criminal gangs due to a perception of those persons now being wealthy?

No information was found on persons specifically returning from Australia to Aceh who are targeted because of perceived wealth. However, pertinent information is set out below discussing the prevalence of extortion and lawlessness in Aceh.

It is also noteworthy that a February 2007 paper on IDPs suggests that information on returnees is sometimes difficult to find; Saiful Mahdi notes that the terms ‘internally displaced persons’ and ‘refugee’ are often used interchangeably. He states:

In Indonesia, for example, the term IDPs is used for people who move both because of conflict and natural disaster; and both people who move within or across border are called *pengungsi*. Bahasa Indonesia actually knows only word *pengungsi* to term both IDPs and refugees (Mahdi, S. 2007, ‘First International Conference of Aceh and Indian Ocean Studies: Where Do IDPs Go? Evidence of Social Capital from Aceh Conflict and Tsunami IDPs’, Conflict Recovery website, 24-27 February http://www.conflictrecovery.org/bin/Saiful_Mahdi-Where_do_IDPs_go.pdf – Accessed 6 May 2008 – Attachment 15).

In April 2008 *Agence France Presse* reported that five Chinese nationals were taken hostage by a group of armed men in Aceh. A ransom was demanded, though they were later released without a paid ransom:

Seven men armed with rifles and wearing masks took seven Chinese nationals and one local worker hostage at a tin mine in Pining, Gayo Lues district late on Sunday evening, Aceh Police Spokesman Jodi Heriyadi said.

“Three of them, (Indonesian) Abdul Karim, Liang Jian and Peng Ying Xiang have been released and told to look for a 300 million rupiah (32,700 dollar) ransom” Heriyadi said.

It was not immediately known what the Chinese were doing in the area but local sources told the Banda Aceh-based *Serambi* newspaper they were part of an investment survey on the mine (‘Five Chinese held hostage in Indonesia’ 2008, *Agence France Presse*, 28 April <http://afp.google.com/article/ALeqM5h4ve3zXjAzgmnMlcfw7pTMPgEjQA> – Accessed 6 May 2008 – Attachment 16; for information on the hostages’ release see: ‘Five Chinese hostages freed in Indonesia’ 2008, *Antara News* website, 30 April <http://www.antara.co.id/en/arc/2008/4/30/five-chinese-hostages-freed-in-indonesia/> – Accessed 6 May 2008 – Attachment 17).

A November 2007 article published by the *Far Eastern Economic Review* discusses the influx of aid money in to Aceh and the return of expatriates to the province, mostly from greater Indonesia and Malaysia. Pertinent extracts follow:

Aid money can build infrastructure, but it also creates its own headaches. The huge influx of donor cash has led to localized inflation and a culture of handouts. Educated, English-speaking Acehnese are in high demand at NGOs, and so enjoy generous salaries. Less-skilled workers can also take lucrative posts driving sport-utility vehicles for the NGOs. But these jobs will not last forever. Investors will be watching to see whether the animal spirits of the local economy begin to stir.

The conflict, as it’s called in Aceh, killed an estimated 15,000 people, and systematic terror by government and rebel troops after 1999 left large swathes of the province traumatized. The situation sent business people scurrying for Jakarta and Malaysia; in rural areas, workers and small tenant holders fled their land. Some of the best Arabica coffee country in the world, in Aceh’s central highlands, went to seed, along with oil palm, rubber and cocoa plantations throughout the province. Oil and natural gas installations serving fields in the eastern part of the province were often under siege. People who stayed tended a subsistence economy; any substantial business moved 500 kilometers east, to the North Sumatra provincial capital of Medan. One indicator of problems is that Acehnese are not taking up construction jobs,

forcing firms to hire migrants from North Sumatra and Java. The unemployment rate in the province has held steady at 12% during the boom as the workforce expanded by 5%.

...Talented Acehnese who fled the province are also returning to win reconstruction contracts and provide consulting work. Achmad Fadhiel worked as a consultant with the International Finance Corporation after the tsunami. He's stayed on to be the CFO of government-owned fertilizer firm Iskander Muda. "I had mixed feelings," says 42-year-old Mr. Fadhiel, who worked as a corporate banker in Jakarta for 18 years. "It was the same airport terminal building in Banda Aceh as when I left [in 1973, at the age of eight]. But it's about social responsibility. After many years in the banking industry I can give people some advice about financing. I'm having a lot of informal chats."

Everybody seems to be watching the movements of the talented and wealthy among the Acehnese diaspora—pegged at around one million people spread from Malaysia and greater Indonesia all the way to an enclave in Harrisburg, Pennsylvania. The re-entry of expatriates will send a strong signal to international investors about the health of Aceh. And, equally important, it will spur local businesspeople to take the leap into industries like agricultural and seafood processing and packing, a logical first step in adding value to the Aceh economy. "The question is will the spirit of entrepreneurship come back?" says Paul McMahan, a consultant with the Indonesian reconstruction agency who is organizing an Aceh venture fund for small and medium businesses (Brooks, O. 2007, 'Indonesia: The Rebirth of Aceh', *Far Eastern Economic Review*, 2 November – Attachment 18).

In the October-December 2007 issue of *Inside Indonesia*, Dr Edward Aspinall of the Australian National University (ANU) comments on the increase in armed robbery and corruption in Aceh; though adds that in the wider Indonesian context gangsterism is "much worse in [neighbouring] Medan":

Some activists in Aceh's NGO sector, who in the past were highly critical of corruption by local government officials, are now reluctant to criticise GAM supporters. If the peace process is to be successful, they say, former fighters need to be granted economic opportunities. If there is some discrimination and heavy-handedness in the process, so the argument goes, that may be the price paid for peace. There has already been an upswing in armed robbery, especially along the east coast. People worry that lawlessness could increase if GAM commanders are shut out of business opportunities.

On the other hand, Irwandi Yusuf and GAM bupati and mayors apparently fear that thuggishness and corruption among their supporters will undermine the movement's long-term political prospects, especially in the approach to the 2009 elections. They have ordered their followers to stop levying pajak nanggroe on businesses and NGOs.

But even as people talk quietly about the rise of political 'premanisme', or gangsterism, in Aceh, it is worth putting this development in its wider Indonesian context. In an interview earlier this year, one prominent local businessman told me that, bad as the situation was in Aceh, it was much worse in Medan, the capital of the neighbouring North Sumatra province. There, gangster-run 'youth groups' organise violent protection rackets and extort money from local businesses at a rate much greater than anything seen in Aceh.

Aceh's peace process still has a long way to travel. But the transformation of GAM since last December's elections provides grounds for optimism. GAM-endorsed heads of local government are now becoming obsessed with development targets and the investment climate, much like other elected officials throughout Indonesia. Even their followers are accommodating themselves to patterns of politico-criminal organisation that are common throughout the archipelago (Aspinall, E. 2007, 'Guerillas in Power', Aceh-eye website, source: *Inside Indonesia*, October-December <http://www.aceh->

http://www.insideindonesia.org/data_files/english_format/analysis/analysis_insideindonesia/analysis_insideindonesia_2007/analysis_insideindonesia_2007_10_12_02.asp – Accessed 6 May 2008 – Attachment 19).

4. Please provide information on the current situation of Acehese living in Medan, North Sumatra, and whether any impediments exist that restrict Acehese from taking up residence in Medan. If the situation in Medan appears unsuitable for Acehese please also provide information on the current situation for Acehese in Jakarta as well as possible restrictions on residency.

Information indicates that Medan has witnessed a rise in violence and extortion over the past two years. As noted above by Edward Aspinall in an article for *Inside Indonesia*, “bad as the situation was in Aceh, it was much worse in Medan”; referring to the rise of gangsterism (or *premanisme*) (Aspinall, E. 2007, ‘Guerillas in Power’, Aceh-eye website, source: *Inside Indonesia*, October-December http://www.aceh-eye.org/data_files/english_format/analysis/analysis_insideindonesia/analysis_insideindonesia_2007/analysis_insideindonesia_2007_10_12_02.asp – Accessed 6 May 2008 – Attachment 19).

For information on Acehese residing in Medan, and relocation to Jakarta, see:

- A February 2008 response provides information on the alleged crack-down against “illegals” in Jakarta. Administrators in Jakarta are reportedly increasing identity checks at “all 28 entry points including public transportation stations on land and sea” (RRT Research & Information 2008, *Response IDN33019*, 21 February – Attachment 20).
- *RRT Research Response IDN31676* of 17 May 2007 provides information on the situation for returning Acehese (RRT Country Research 2007, *Research Response IDN31676*, 17 May – Attachment 2).
- Department of Foreign Affairs and Trade 2005, *Country Information Report No.25/05 – Indonesia: Acehese in Jakarta*, 19 April – Attachment 21).

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United Nations (UN)

UNHCR <http://www.unhcr.ch/>

Non-Government Organisations

Amnesty International <http://www.amnesty.org/>

Freedom House <http://www.freedomhouse.org/>

Human Rights Watch <http://www.hrw.org/>

Internal Displacement Monitoring Centre <http://www.internal-displacement.org/>

International Crisis Group <http://www.crisisgroup.org>

International Organization for Migration <http://www.iom.int>

ReliefWeb <http://www.reliefweb.int>

International News & Politics

BBC News <http://news.bbc.co.uk/>

Region Specific Links

Aceh-Eye.org <http://www.aceh-eye.org/index.asp>

World Bank's Aceh Conflict Monitoring Programme <http://www.conflictanddevelopment.org>

Topic Specific Links

Online Subscription Services

Other

Search Engines

Google <http://www.google.com.au/>

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

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