The Helsinki negotiations
a perspective from Free Aceh Movement negotiators

M. Nur Djuli and Nurdin Abdul Rahman

The seed for the Helsinki peace talks was planted soon after the collapse of talks between the Free Aceh Movement (GAM) and the Government of Indonesia mediated by the Centre for Humanitarian Dialogue (HDC) in May 2003. Despite the immediate declaration of martial law in Aceh, GAM leaders remained committed to peace talks as a way to resolve the conflict. However, the opportunity to realize this came from an unexpected source. Soon after the collapse of the talks, the Finnish businessman Juha Christensen contacted GAM to act as the new mediator. GAM’s leadership in Stockholm, Sweden, was initially cool about this approach as it was still hoping that HDC would be able to persuade Indonesia to return to the negotiating table, and Christensen was not known for work in the conflict resolution field.

The new initiative eventually led to talks for two main reasons. Firstly, Christensen not only had a very close relationship with the Indonesian leadership (especially Yusuf Kalla, elected Vice-President in September 2004), but was also able to bring in the high profile former Finnish President Martti Ahtisaari and his Crisis Management Initiative (CMI) to strengthen the mediation. Secondly, the tsunami of December 2004 gave the international community strong reasons to convince Jakarta to come to the table. GAM also perceived that there was no alternative to taking whatever road was available to end the war, and declared a unilateral ceasefire three days after the tsunami in order to allow in emergency assistance. With the HDC initiative, the involvement of the international community had been limited, a problem that the Helsinki process avoided.

Overcoming a rocky start

The first round of talks in Helsinki went quite badly. As GAM negotiators we perceived that President Ahtisaari knew little about Aceh or the Acehnese character and that the premise of the talks was that we were rebels who had to return to the fold. Ahtisaari started by telling us that this was not to be a negotiation between equals, that the government of the Republic of Indonesia was recognized and that we were not, and that, “I don’t want to hear about independence or referendum, we are going to discuss your acceptance of the autonomy status. Don’t waste your time trying to smuggle in ideas of independence or referendum – if you want to do so you’d better go back to wherever you have come from.” This prompted a quick retort that we were Ahtisaari’s guests, and if we were not welcome we were ready to pack our bags and go somewhere else. The option in mind at that time was that the Norwegians had made several approaches to us while dealing with the Sri Lankan conflict.
Learning quickly from his error, Ahtisaari apologized on the second day for his “bluntness,” but could not prevent the round ending in failure when the Indonesians rejected our offer of a ceasefire and insisted we accepted the status of ‘autonomy.’

If the words ‘independence’ and ‘referendum’ were taboo to Indonesia, we were allergic to ‘autonomy,’ which represented for us an abhorrent system of brutal oppression and impunity for murders, rapes, disappearances, massacres and all sorts of other brutalities. We knew that people in Aceh would not accept another autonomy law. However, we had come prepared with a hierarchy of plans that we could fall back on. Plan A proposed that Jakarta allow Aceh to have a ceasefire for 15 years, during which time it could build up Aceh as much as it liked – cover Aceh with gold, as we said – but afterwards the Acehnese must be allowed to have a referendum. This was rejected by the Indonesian side who said GAM would consolidate and at the end would continue their pursuit of independence.

On the first day of the second round of talks, we decided that if we insisted on that proposal, the peace talks would collapse. That evening, we communicated with GAM field commanders, explaining that Plan A was not bearing fruit. We waited for about six hours to get a decision from the ground about Plan B. Plan B proposed ‘self-government’ for Aceh - terminology that allowed our delegation to venture into new ground in relations with Indonesia without accepting the unjust autonomy law. In many ways, self-government was another word for autonomy, but without the same abhorrent connotations. Coincidentally, that same evening Ahtisaari talked on television in Finnish and said there was a great chance for peace in Aceh if it was given self-government. Initially we were not sure whether the Finnish word he used was self-government or self-determination. So we invited Ahtisaari to our room on the second day and asked what he had meant, and he said it meant self-government. We grabbed the terminology as a Godsend and pursued it relentlessly, starting to do away with other associated terminology such as ‘governor’ and ‘bupati’. There was strong resistance from Sofyan Jilil on the Indonesian side, and back in Jakarta the team received heavy criticism from opponents in the military and parliament. The press however termed GAM’s proposal ‘brilliant’ and it attracted tremendous public support. Eventually the Indonesian side accepted self-government in principle and we began to iron out what it meant in practice.

There was another crucial factor that made this advance possible: in the first round Ahtisaari had coined an excellent phrase that made it possible for us to return to the negotiation table without accepting the Indonesian demand for autonomy and for Indonesia to continue without losing face: “Nothing is agreed until everything is agreed.” This became helpful when we explored difficult issues like self-government, because it meant if any one agenda item did not reach an agreement, all points were unacceptable.

Making progress

As talks went on, the sides became friendlier and we found it easier to negotiate directly with the Indonesians without interference from Ahtisaari, who had initially had the habit of responding when we addressed questions to the Indonesian side.

Our delegation also increasingly took the initiative, working hard into the early hours so each morning we were ready with proposals. We had the advantage of
being very small in number, while the Indonesians seemed to be governed by different interests in Jakarta: some six ministries, the police and the military were involved. Their decision-making was slow and cumbersome and their in-fighting quite obvious, especially between the Vice-President’s team and those from Foreign Affairs or the military. So we took the lead in forging new ground and the Indonesians principally had to agree, disagree or modify our demands. This was a mode reversal from the Geneva and Tokyo talks, where we were basically handed the government’s or mediator’s proposals.

There was a brief crisis when — probably as a result of military pressure and the Indonesian chief delegate’s legal and political problems — Hamid Awaluddin said in a press interview that Indonesia still insisted GAM accept the prevailing autonomy law. GAM promptly declared the failure of the peace talks, but fortunately this matter was resolved through consultations. It was also confirmed that the military had pulled its representative, Brig. Gen. Safruddin Tippe, out of the Indonesian support team, signaling a growing rift within the Indonesian delegation. In Jakarta the military and foreign affairs people increased their rhetoric against the talks, especially on the Indonesian concession to allow self-government status for Aceh.

**Make or break**

The ‘nothing is agreed until everything is agreed’ modality came to a climax at the fifth round in which we discussed the thorniest issues: security issues and local political parties.

On security, we hit a deadlock over the number of troops to remain in Aceh: we initially proposed 4000 and Jakarta proposed 25,000. Even in the biggest and most populated provinces of Indonesia the number is never more than 6000, so we were shocked when the mediators revealed that the proposed level of troops to remain in Aceh was 14,700 and 9200 police. Furthermore, although these were ‘organic’ troops it was obvious to us that non-organic troops (units of armed forces and police sent to Aceh from other provinces) would simply change insignia on their uniforms and become ‘organic.’ After prolonged and heated arguments we voted to accept these numbers after strong assurances from the CMI that the Aceh Monitoring Mission would ensure that the military’s role would strictly be in external defense, as per the clause written into the agreement. Had we decided to reject this, the peace talks would have been at a stalemate.

The other really difficult issue was the refusal of Indonesia to allow the formation of local political parties in Aceh for constitutional reasons. The branches of national political parties were, according to the Indonesian side, local parties. But for us these were still national parties and having local parties was a ‘bottom line’ issue for us. So at one point we packed our computers and told Juha Christensen that we were leaving. He dramatically insisted he had the right to hold us until 5pm and refused to provide us transport into town. Adamant about our position, we asked the Indonesians one last time to give us a yes or no answer to our demand. They came up with wording for this clause — ‘local parties with national characteristics,’ which we were willing to agree to, and Sofyan Jalil called Vice-President Jusuf Kalla and obtained a direct order to accept.

At 11 o’clock on the third day of the fifth round we put initials on the *Memorandum of Understanding* (MoU).

**The process in perspective**

Nearly three years on, the peace is holding well, despite some ugly incidents involving ex-militias, some internal GAM disputes and the far-from-complete reintegration of ex-combatants.

Of course we could not secure all our demands in Helsinki. With the benefit of hindsight and experience, there are areas we might have liked to have secured more, such as being given more opportunity to decide on our own fiscal policy — currently all taxes are decided by Jakarta. These are areas we discussed but could not get through. We would also have liked to have agreed that human rights violations predating the agreement would be investigated, not only those afterwards. Hopefully some of the Generals involved will still have to face justice, as more pressure builds on them from within Indonesia, especially from a new, young and educated generation.

We have to accept what has been agreed and be careful not to fuel tensions. But there are still many clauses in the MoU that have not been properly addressed by the *Law on the Governing of Aceh* that was promulgated specifically to implement it, such as the role of the military, the distribution of resources and the division of authority between Jakarta and the Aceh government. The government also seems to want to regulate the way GAM reintegrates itself into society, quarrelling about the use of the name and logo of the party. If this prevents GAM from forming a political party in enough time for the 2009 elections it would be dangerous. That GAM is no longer interested in armed struggle should be enough of a victory for the government, who should not be trying to exert pressure on its erstwhile enemy. There should be more sincerity and less strategizing if peace is to hold permanently.