

Aceh Conflict Monitoring Update

1st – 31st August 2007

World Bank/DSF



In August, tensions from the conflict era manifested most strikingly in a series of incidents related to the theft or disappearance of Independence Day national flags.¹ These cases drew nationwide attention and one led to a beating by the police of a dozen alleged ex-GAM members in Tanjung Beuridi, Bireuen. Other pre-MoU cleavages were also evident in demonstrations and cases of police brutality, and a land dispute revealed how intra-GAM splits can spill over into other forms of conflicts. Violence continued at the high level which has been recorded since March of this year, once again reaching its highest post-MoU level of 24 incidents. Many of these were related to the ongoing post-election conflict in Aceh Tenggara (see previous Updates), which this month escalated with a series of arson and grenade attacks. This Update also discusses a new development in the Bumi Flora land case, where NGO staff assisting villagers to assert their land claims were charged under draconian “incitement” laws. The outcome of these legal proceedings might set a precedent with regards to the limits of democratic expression in Aceh.

Political conflict over flag incidents²

Indonesia’s National Independence Day on August 17th is a time of festivity throughout the country, and Indonesian citizens are expected to fly flags in front of their houses as a demonstration of patriotism and adherence to the principle of national unity. The apparent theft of 150 flags in Lhokseumawe on August 12th sparked a public debate that drew nationwide attention, with statements by the Chairman of the National Parliament (DPR) and the heads of the national military and police. Three days later, a similar incident in Tanjong Beuridi, Bireuen, had even more dramatic consequences, as police went to investigate and ended up beating a dozen people (see Box 1 for details).³ On August 16th, at least 57 flags were removed and burned in Sawang, Aceh Utara, a past GAM stronghold. The next day, the police seized three GAM flags which were found flying in Pidie.

¹ As part of an analytical support program to the peace process, the Conflict and Development Program, within the World Bank Office Indonesia, is using a newspaper conflict mapping methodology to record and categorize all incidents of conflict in Aceh as reported in two provincial newspapers (Serambi and Aceh Kita). The Program publishes monthly updates analyzing the data, complemented by fieldwork where possible, in both English and Indonesian. Updates are available online at www.conflictanddevelopment.org. The dataset is available for those interested; contact Blair Palmer at bpalmer@worldbank.org or Adrian Morel at amorel1@worldbank.org. There are limitations to using newspapers to map conflict; see Barron and Sharpe (2005) “Counting Conflict: Using Newspaper Reports to Understand Violence in Indonesia”, *Indonesian Social Development Paper No. 7*. Jakarta: World Bank, also available on the web-site.

² Previous Updates opened with a record of “GAM vs GoI” conflicts (GAM: *Gerakan Aceh Merdeka*, former separatist movement; GoI: Government of Indonesia). Categorizing conflicts as “GAM vs GoI” now has reduced relevance for two reasons. First, since GAM has transformed from a separatist movement into a local political actor that is now in control of key government positions, the distinction between GAM and GoI is not as clear as it once was. Second, no violent clash between the national armed forces and the TNA (GAM’s army) has been reported since the Payo Bakong incident of July 2006. Pre-MoU tensions and cleavages continue to appear in a range of different forms, from political disputes in Banda Aceh to localized violent incidents. However, these old divisions now tend to play a role in inflaming disputes about other things (such as resources, aid, political competition or vigilantism), rather than being a radically different form of conflict.

³ Our account of the incident in Box 1 is based on newspapers and further investigation by World Bank researchers.

On the positive side, most parties involved in the debate initiated by the Lhokseumawe incident were cautious and measured in their arguments, to avoid fuelling tensions. Although initial statements by Aceh Utara and province-level military commanders hinted at the persistence in Aceh of parties hostile to the peace process, the National Military Commander, Djoko Suyanto, denied the incident could be interpreted as a separatist action. Similarly, the National Police Headquarters (*Mabes Polri*) stated that there was not enough evidence to hold KPA (*Komite Peralihan Aceh* – the civil organization representing ex-GAM members) responsible for the incidents, and pointed out that the motivation for the theft of flags could be criminal rather than political – to re-sell them for money. This kind of statement seems designed to defuse tensions.

Nevertheless, the wide extent of the debate sparked by these incidents, and the severity of many of the statements, associating the theft of flags to a crime of treason to the Indonesian nation and people, shows how sensitive this issue is.⁴ It is also important to note that the debate did not only focus on stolen flags, but tended to implicitly extend the accusation of treason to citizens who had failed to fly the flag in a timely manner.

In an interesting development, the Mayor of Lhokseumawe distributed 150 new flags to replace the stolen ones and referred to this as a “flag aid” program (*bantuan bendera*). The use of developmentalist terminology in speaking about nationalism is somewhat insidious, given that the military assisted in the distribution of the “flag aid”, and local authorities recorded the names of the recipients (perhaps to enable monitoring of the “sustainability” of the nationalism created by the flag aid program?)

Box 1: The Tanjung Beuridi Case

On August 15th, following allegations that 57 national flags had been removed in Tanjung Beuridi village, Peusengan Selatan, Bireuen, police raided a coffee shop owned by Ahmad Kumis, a local GAM figure. Ironically, when the police arrived at his *warung*, Ahmad Kumis himself was busy chatting with the District Police Chief and the Sub-District military commander in a nearby coffee shop. He returned to his shop, and the police there apparently attacked him and a number of other villagers (including ex-GAM), beating them. Twelve were injured, with seven requiring hospitalization. It appears the police started beating villagers after verbal provocation by local youth, including ex-GAM elements. Some sources also stated that ex-GAM elements had asked villagers not to fly the national flag on August 17th, sometimes resorting to intimidation.

The Tanjung Beuridi *geuchik* (Village Head) denied that flags were ever intentionally removed. Ibrahim KBS, the provincial KPA spokesman, issued a strong protest, asking that the case be brought to court and disciplinary measures be taken against the perpetrators. FKK (Communication and Coordination Forum for Peace in Aceh) has promised to conduct a thorough investigation of the case.

Other MoU/peace process related incidents consisted of peaceful demonstrations: by students demanding timely creation of local laws to fully implement the MoU, by families of political prisoners (*Tapol/Napol*) still detained outside of Aceh asking for their return, and by PETA (*Pembela Tanah Air* – a former anti-separatist front) to protest against the use of the GAM flag and symbols by local political parties.⁵ On the whole, these demonstrations are a positive sign that issues related to the peace process are now normally expressed through peaceful means, even when demonstrators appear to be former antagonists. However, one cannot automatically associate demonstrations with democratic expression. Demonstrations in new democracies can sometimes be a show of force by local leaders, with demonstrators sometimes not understanding

⁴ The incidents in Aceh occurred in the aftermath of two flag incidents in other parts of Indonesia which raised worries of “national disintegration” and led to aggressive assertions of nationalism. On June 29th in Ambon, Maluku, 20 dancers unfurled a flag of the Republic of the South Moluccas at a cultural event which was being attended by the President. Both the police chief and the military commander of Maluku lost their jobs over the incident. On July 3rd in Jayapura, a flag of the Free Papua Movement was unfurled at a cultural event, after a dance portraying orphans of human rights abuses in Papua.

⁵ A demonstration in support of Armen Desky in the Aceh Tenggara election dispute this month also protested against the formation of local parties, specifically targeting Partai GAM (see Table 1).

the issues they are protesting well. As demonstrations continue to occur in Aceh, analysis of why they are occurring, and how people are being mobilized, is necessary.

Pre-MoU cleavages continue to manifest in contemporary conflicts

Table 1 shows the pre-MoU tensions which appeared in conflict incidents during August.

Table 1: Pre-MoU cleavages as a factor in post-MoU conflict incidents

Cleavages	Contemporary conflicts
I. GAM vs. Gol (incl. security forces)	<ul style="list-style-type: none"> • National flags incidents in Lhokseumawe and Sawang, Aceh Utara (see above). • Tanjung Beuridi flag incident (see above). • August 17th, <i>Pidie</i>. Police seize 3 GAM flags. • August 12th, <i>Lhokseumawe</i>. House of GAM member searched without legal warrant by unidentified persons (possibly intelligence operatives).
II. GAM vs. anti-separatist group	<ul style="list-style-type: none"> • August 20th, <i>Aceh Tengah</i>. Demonstration by PETA against the use of a GAM banner by Partai GAM. KPA denounces the demonstration as “undemocratic”.
III. Intra-GAM	<ul style="list-style-type: none"> • August 4th, <i>Aceh Barat Daya</i>. Two GAM factions opposed in a land dispute.⁶
IV. Community vs. security forces	<ul style="list-style-type: none"> • August 15th, <i>Aceh Singkil</i>. Police beat a man who allegedly sent an “inappropriate” sms. • August 16th, <i>Aceh Tengah</i>. Police beat a <i>becak</i> driver over a traffic accident. Incident sparks demonstration by hundreds of <i>becak</i> drivers.
V. Intra-community (GAM vs. Gol loyalties)	<ul style="list-style-type: none"> • August 2nd, <i>Aceh Tenggara</i>. Pro-Desky demonstrators also protest against formation of local parties, specifically targeting Partai GAM.

Hostility between GAM and security forces resulted in the series of flag incidents. Tensions between GAM and former anti-separatists, between security forces and communities, and between pro- and anti-GAM elements of society also took place this month, in the form of demonstrations and two cases of alleged police brutality. Note that of the incidents in Table 1, the violent ones were all carried out by police. Again, the lack of professionalism and discipline of security forces seems to be a key factor in allowing pre-MoU tensions to escalate into violence. Security Sector Reform (SSR) should be a major focus of both the local government and donors.

Land dispute reveals divisions within GAM in Aceh Barat Daya

Another interesting incident highlights intra-GAM divisions in Aceh Barat Daya. On August 4th, a demonstration over the proposed land permit for the company PT Babahrot Agro Lestari (PT BAL) almost ended in a riot. In April Governor Irwandi Yusuf signed a permit for PT BAL to develop 5030 hectares of government land for oil palm. The District Head of Aceh Barat Daya, Akmal Ibrahim, recently decided instead to give the land to villagers, at two hectares per family. On August 4th, villagers opposed to the PT BAL permit demonstrated in the thousands. Their procession was blocked by hundreds of people supporting PT BAL, with KPA members prominent. However, other KPA members were in the crowd of anti-BAL protestors. A riot was only avoided when the Bupati and the provincial team met with Abdurrahman, the KPA head for Blangpidie (the KPA region covering Aceh Barat Daya). KPA’s official position is that it supports the land being granted to villagers rather than to PT BAL.

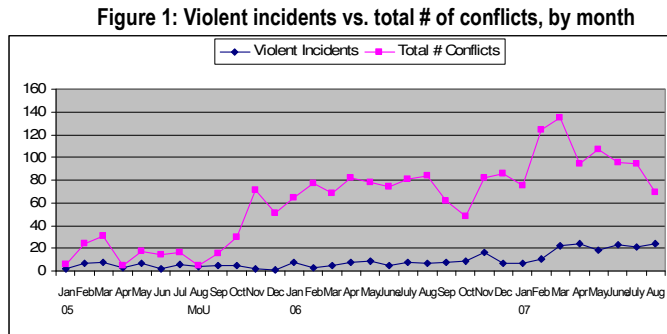
Note that splits in KPA Blangpidie, which stemmed from a dispute over reintegration funds, worsened during the local elections (which included a second round in March) and possibly affected the outcome of the elections (see March 2007 Update). It is unsurprising that the

⁶ Various splits and tensions within GAM were present before the MoU, hence the category “intra-GAM”. This particular split involving GAM factions in Aceh Barat Daya may have developed after the MoU, but there are indications that it was related to pre-MoU tensions over the replacement of the GAM regional commander.

different factions have managed to find another issue on which to oppose each other. The case points to the potential for intra-GAM splits to spill over into other forms of conflict throughout Aceh, although the intra-GAM element may not always be visible.

Violence again hits its highest post-MoU level

This month we recorded 70 local level conflicts. Although this appears to represent a drop from previous months (see Figure 1), these 70 conflicts resulted in a total of 106 incidents, similar to that recorded over the previous few months.⁷



Violence continued at the high level which has been recorded since March of this year, with a post-MoU high of 24 incidents this month. A third of these incidents (8 out of 24) resulted from the escalation of Aceh Tenggara’s political conflict, discussed below. The violence was mostly directed at properties (11 buildings damaged). Two deaths were recorded, as well as 24 injuries (including 12 as a result of the Tanjung Beuridi incident alone). Table 2 summarizes all of the violent incidents that took place in August.

Table 2: Violent incidents in August

#	Type	Details
9	Political violence	<ul style="list-style-type: none"> • 2 Camat offices burned down (Aceh Tenggara). • 2 schools burned down (Aceh Tenggara). • 1 market arson (Aceh Tenggara, likely political). • 3 grenades/bombs (Camat’s car in Bener Meriah, Aceh Tenggara parliament, Aceh Tenggara Bupati’s house in Medan). • 1 riot over the inauguration of new Camats in Aceh Tenggara.
2	Revenge killings	Exact motives unknown.
4	Beatings by police or WH	<ul style="list-style-type: none"> • Tanjung Beuridi incident, see earlier explanation. 12 injured. • 1 beating in police custody. • WH (Syariah Police) beat a youth after he called them “dogs”. • Police beat a <i>becak</i> driver after a small traffic incident.
6	Other beatings	<ul style="list-style-type: none"> • 2 road rage incidents. • 1 beating over parking turf (by parking guard). • 1 <i>khalwat</i> beating. • 1 beating of villager by contractor, after villager complained about quality of aid houses. • 1 stabbing for unknown reasons.
2	Vandalism	Citizens damaged government offices or projects due to disappointment with public services.
1	Other	Minor incident.

⁷ We tabulate both the number of *conflicts* and the number of *incidents* each month. A conflict over a plot of land, for example, might involve several incidents such as a protest, a demonstration, and a blockade. We code this as three incidents but one conflict. In most months, the number of incidents is only slightly higher than the number of conflicts, since most conflicts consist of only one reported incident. This month, however, the number of incidents was a full 50% higher (at 106) than the number of conflicts, due to multi-incident conflicts such as the Aceh Tenggara political conflict and the Bumi Flora case. Note that Figure 1 reflects violent incidents vs. total number of *conflicts* (not incidents).

Political conflict in Aceh Tenggara escalates into violence

The most prominent conflict in August was the escalation into violence of the ongoing tensions in Aceh Tenggara (Agara) over the results of the local elections last December. Beginning with a bombing at the local parliament (DPRK Agara) on August 1st, tensions remained high throughout the month, with a series of arson attacks and a grenade attack in the last days of August, as the September 1st inauguration of Hasanuddin and Syamsul Bahri as Bupati and Vice Bupati approached (see Box 2 for details of these incidents). Luckily, none of the incidents caused injuries. All remain unsolved. A member of KPA was interrogated by police in relation to the DPRK bombing, but was subsequently released. KPA Agara denied any involvement in that incident and put the blame for the unrest in Aceh Tenggara on the incumbent Bupati, Armen Desky, a local Golkar⁸ strongman and loser in the elections.

This surge of violence can probably be regarded as a desperate attempt to resist the shift in political power, after Jakarta endorsed the Hasanuddin ticket as the official winners and Governor Irwandi Yusuf pushed for inauguration. However, it is highly unlikely that violence will stop with the inauguration of Hasanuddin and Syamsul Bahri on September 1st. The Golkar incumbent can rely on a very powerful network of loyal supporters, strengthened by clan affiliations, which spreads throughout the legislative, executive, and judiciary branches of local government, and his followers have demonstrated their resolve to go to great lengths to maintain his grip on power in Aceh Tenggara. It is likely that violence will continue as they resist the “cleaning” of the local administration by the newly appointed Bupati – a process that started even before his inauguration with the replacement of 61 civil servants, including the 15 Sub-District Heads (Camat) mentioned in Box 2, on August 15th.

Box 2: Political violence in Aceh Tenggara in August

- *August 1st, DPRK building, Kutacane.* A bomb damaged the building but caused no injuries. The DPRK had been siding with KIP Agara (the Local Elections Committee, Aceh Tenggara branch) in contesting the outcome of the elections and recognizing the incumbent Golkar Bupati, Armen Desky, as the winner. DPRK Agara had refused to hold the inauguration ceremony of Hasanuddin and Syamsul Bahri, the pair recognized by KIP NAD (the Local Elections Committee, Provincial branch) and the Ministry of Home Affairs as the official winning ticket.
- *August 14th, Bupati's office, Kutacane.* A mob raided the office, interrupting the inauguration ceremony of 15 newly appointed Sub-Districts Heads (Camat). 15 of 16 Camat in Aceh Tenggara had gone to Jakarta on August 4th without authorization, in order to convey their concern to the Coordinating Ministry for Political and Security Affairs (Menkopolhukam) about the “transparency” of the election process (likely in support of Armen Desky). Governor Irwandi Yusuf subsequently called for disciplinary measures, and the acting Bupati decided to replace them. The inauguration of the 15 new Camat eventually took place the next day, under heavy police protection.
- *August 25th, Offices of Camat of Babel and Badar Sub-Districts.* The offices of two of the newly appointed Camat were targeted by arson attacks.
- *August 27th, House of Acting Bupati of Aceh Tenggara, Medan.* Grenade attack on a house belonging to Marthin Desky, Acting Bupati of Aceh Tenggara.
- *August 27th, Semadam Sub-District, Aceh Tenggara.* Arson attack on a school.
- *August 28th, Babel Sub-District.* Arson attack on a Muslim boarding school, in one of the sub-districts where the office of Camat had been arsoned on August 25th.
- (Another arson was reported on a market in Kutacane on August 30th, but the political nature of the incident has not been established)

The situation in Aceh Tenggara further underlines the risk that conflict between newly elected administrations, on the one side, and old guard legislatures and political figures on the other,

⁸ Golkar (*Golongan Karya*) was President Suharto's political vehicle, and remains one of Indonesia's major political parties.

might lead to mobilization of followers and explosions of violence on the ground. This can happen even in districts where ex-GAM did not accede to power and do not play, at least openly, a major role in local politics. Importantly, it also reveals the persistence of violence in local politics, where violence is strategically used as a tool in power struggles once other methods fail. These are features of contemporary Indonesian politics which go beyond Aceh.

Democratic activism and state repression: The Bumi Flora case continues

Last month's Update described the July 3rd demonstration by thousands of Aceh Timur villagers alleging that PT Bumi Flora seized their land with military backing in the early 1990s.⁹ In August, eight members of the Aceh Legal Aid Foundation (*Lembaga Bantuan Hukum*, LBH), which had assisted in the protest, were named as criminal suspects by police for distributing pamphlets. They are charged under articles 160 and 161 of the Criminal Code on incitement to hatred and public unrest, which carry a sentence of up to six and four years jail respectively.

The prosecution led to strong protests from civil society, with human rights NGOs (including Kontras, Gerak, and Koalisi NGO-HAM), conflict victims associations, and KPA demanding that the charges be dropped. The police, they claimed, had reverted to a pre-MoU repressive approach by criminalizing the advocacy of basic human rights – and by doing so, intended to divert public attention from the land seizure case itself. The NGOs also questioned the use of articles 160 and 161, which are part of a set of laws known as *Hatzai Artikelen* (“hate articles”) inherited from the Dutch colonial era.¹⁰

In a move seemingly aimed at damage control, PT Bumi Flora subsequently dropped the civil charges they had pressed against the LBH staff, and proposed a resolution of the land case without legal proceedings (*penyelesaian secara damai*). Nonetheless, the police investigation of the LBH staff is still ongoing, and the eight suspects still face jail sentences.

The evolution of this case will need continued monitoring, as it is likely to set a precedent with regards to the limits of the democratization of Acehnese civic life. As underlined in previous Updates, the post-MoU period has seen the opening of a space for public debate and democratic expression as well as a significant empowerment and emboldening of civil society. However, these positive developments are still fragile and a lot will depend on the behavior of local authorities, and police in particular. Allowing for democratic contestation is key to building sustainable peace in Aceh, as is building the capacity of citizens to raise and pursue grievances stemming from past abuses through democratic means. Supporting NGO and other civil society networks will also help to deter authorities from slipping back to a repressive approach to security.

⁹ Protestors stated that the company used the military to intimidate villagers into accepting meagre compensation, and that three leaders of a farmer organization were killed in 1991 (see the June-July 2007 Update – all Updates are available at: www.conflictanddevelopment.org). It is important to avoid confusion with another major case associated with PT Bumi Flora, where 32 Acehnese employees of the company were killed in 2001. An investigation of the 2001 case by the National Human Rights Commission (Komnas HAM) suggested that the military was responsible for the massacre.

¹⁰ The legitimacy of these laws, seen as *pasal karet* (“elastic articles”) i.e. articles whose vague definition allows for arbitrary arrests, has been recently challenged by the Indonesian Constitutional Court. On July 17th this year, the Court declared articles 154 and 155 on “hate sowing” to be unconstitutional, although it did not revoke articles 160 and 161 on “incitement”. Interestingly, the decision of the Constitutional Court was in response to the case of Panji Utomo, leader of Inter-Barrack Communication Forum (Forak), who was charged with incitement to hatred for demonstrating in front of BRR last year (see Updates from September 2006 and April 2007).