

# MAPPING COMMEMORATIVE CULTURES, BEST PRACTICES AND LESSONS LEARNED

## **CASE STUDY: Indonesia**

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### **1. Background on the Period of Violence**

The Aceh conflict started in 1976 after the Free Aceh Movement (*Gerakan Aceh Merdeka, GAM*) declared Aceh's independence at Tiro sub-district, Pidie District, Aceh. The Government of the Republic of Indonesia responded to the situation by carrying out a series of military operations from 1982 until 2005. The intensity of the military operations increased significantly from 1989 to 1998 as seen by the escalation of conflicts with GAM armed forces at the time, which had spread to three regions along the east coast of Aceh, namely in the districts of Pidie, North Aceh, and East Aceh. These three areas also hold highly essential industrial potential in the country.

Armed contact between the Indonesian National Armed Forces (*Tentara Nasional Indonesia, TNI*) and the Indonesian National Police (Polri) – formerly the Indonesian Armed Forces (*Angkatan Bersenjata Republik Indonesia, ABRI*) – and GAM combatants conducted human rights violations against civilians. Arbitrary arrests, enforced disappearances, violence against women, and torture were widespread and become part of the daily portraits of people's life in Aceh. In 1999, the Aceh Forum of Concern for Human Rights (*Forum Peduli HAM Aceh*), a local NGO, documented that during the military operations from 1989–1998 there had been at least 1,321 extrajudicial killings, 1,958 enforced disappearances, 3,430 torture cases, 128 rape cases, and 597 arson cases. The Aceh Reintegration Agency

(*Badan Reintegrasi Aceh*, BRA) estimates that almost 30,000 people were killed during the conflict, most of them civilians. However, reports from human rights organisations state that similar human rights abuses during the conflict were perpetrated by GAM members, particularly those accused of being collaborators or informants of the Indonesian government.

As military operations were carried out in Aceh, the Indonesian military stated that the aforementioned areas were under military control, named a Military Operation Area (Daerah Operasi Militer, DOM) from 1989-1998, and 2003-2004 under Military Emergency (*Darurat Militer*). Mass violations are ongoing. Security forces use military posts and any place belonging to civilians as a location for interrogation, detention, refugee camps, and army barracks. In some places, large buildings such as houses of the wealthy, warehouses, military barracks, schools, mosques, health centers, or school halls were used as sites of detention and torture.

The revocation of the DOM occurred in 1998, alongside national political reforms. However, Indonesia's "Reformasi 1998" did not solve the conflict problem in Aceh. Various efforts attempt to improve the democratic political system and law enforcement. On the other hand, GAM saw an opportunity for "political openness" as an effort to consolidate pro-independence forces in Aceh.

On the other hand, there were various efforts to build dialogue or stop violence, including third-party facilitation from international parties. At the end of 2004, a tsunami hit the coastal areas of Aceh killing up to 200,000 people and causing massive destruction in its wake. However, the tsunami opened new opportunities to resume the resolution of the Aceh conflict through negotiations.<sup>1</sup> Armed conflict was automatically terminated. International attention increased dramatically, especially for humanitarian assistance to restore the ravaged situation. The tsunami disaster became one of the triggers for the birth of a peace agreement (known as the Memorandum of Understanding, MOU Helsinki) between the Indonesian government and GAM, ratified on August 15, 2005.

After the Helsinki MoU, Aceh established itself as a special autonomous region based on the Islamic Sharia – concerning the Government of Aceh. The law is the national legal framework for implementing the Helsinki MoU which aims to develop a system of government in various sectors. The initial steps for peace were followed by the ongoing disarmament of the combatants, the demobilization of the Indonesian military, and the reintegration of former combatants into civil society from both sides of the conflict. The Law partially acknowledges efforts to fulfill the rights of victims of human rights violations and accountability for past human rights crimes, through the establishment of the Aceh Truth and Reconciliation Commission (TRC) and a Human Rights Court. After a long delay, the Acehese parliament passed a local law (*qanun*) to establish a permanent Aceh Truth and Reconciliation Commission in 2013. The Aceh TRC started to work in 2016 and had a mandate for revealing the truth,

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facilitating reconciliation, and recommending reparation for victims. This Commission, whose establishment was promised in the peace agreement, can play a crucial role in strengthening peace both in Aceh and at a national level, in Indonesia.<sup>2</sup>

## 2. Background depicting the important date or event being commemorated

Two emerging past violations – which are already well-known by people in Aceh will be described in this section.

### TORTURE SITES, RUMOH GEUDONG, PIDIE, ACEH

Rumoh Geudong is a place of torture and murder that is most remembered by the people of Aceh. Rumoh Geudong was the private house of a local leader in Pidie, Aceh. It is a large stilt house, typical of Aceh's traditional architecture with a wide yard. Due to its size, the people call it Rumoh Geudong which means big or a rich man's house. From the 1990s the house was occupied by military officers and had been used as the Sattis Bilie Aron Post. After the military operation was revoked in 1998, it was discovered that the authorities had used the house not only as a Sattis Post but also as a place to carry out acts of violence beyond the limits of humanity against people who were often accused of being part of the "separatist" Free Aceh Movement. The military targeted sympathizers and families who knew information about the Free Aceh Movement's whereabouts or were even accused of participating in providing food assistance to them. However, most of the victims were ordinary civilians who worked as farmers or housewives who did not know anything about the existence of these guerrillas. The house was later burned down by a mob in 1998, thus only ruins remain.

Acts of violence were experienced by civilians, including men, women, and children. It is estimated that the number reached thousands of people. They were arbitrarily arrested without legal procedures, brutally tortured, and killed. Many victims went missing and their grave sites are unknown. From the testimony of the victim's witness, it is suspected that a mass grave exists to hide murdered victims.<sup>3</sup>

Torture was carried out in various ways, such as beating with a stick or weapon, electrocution, forced exposure as well as acts of torture and other undignified acts. Victims who had been released must carry out periodic "mandatory reports" to local authorities. Many women experienced acts of violence and sexual harassment by military personnel. Many victims suffered physical injuries and disabilities as a result of torture. In addition, many victims, especially women, experienced trauma and psychological disorders.

*"After I was put in Rumoh Geudong I was immediately tied up and my face wrapped in plastic... I was interrogated with my eyes covered in plastic and my hands tied behind my back. I don't know what questions they asked me because my face was tied tightly, for each question I just nodded my head, unable to speak because it was covered in plastic. I couldn't breathe. Apart from not being able to breathe, I was also kicked. Questions and punches were made at the same time." – A survivor from Cot Baroh, Pidie.*

This case has been investigated by National Human Rights Institutions (Komnas HAM), an institution that was tasked with investigating allegations of gross human rights violations in Indonesia. An investigation team was formed for cases of gross human rights violations in 2016. From the testimonies of 65 victims, Komnas HAM's ad hoc team concluded that they had met sufficient preliminary evidence of alleged crimes against humanity, part of a widespread or systematic attack directed against a civilian population in Rumoh Geudong. Apart from having a fixed and organised pattern, the violence occurred collectively, on a large scale, and had serious consequences for civilians. Komnas HAM also recommends those responsible for crimes against humanity, both military and civilian, be held judicially accountable.<sup>4</sup> This conclusion was contained in Komnas HAM's pro-justicia investigation report which they submitted to the Indonesian Attorney General's Office, last September 2018. Despite the submission of evidence and recommendations by the Commission, the Attorney General's Office (AGO) ignored Komnas HAM's investigation leaving no state accountability for this case.

However, the memories of the residents and the community for the events in Rumoh Gedong are very attached. Paska, one of the civil society organisations in Aceh continues to organise victimized communities to fulfill their rights. Starting in 2017, survivors and civil society organisations<sup>5</sup> have taken steps to preserve the stories of survivors and demand justice for the violations they endured. In consultation with victims' communities, civil society organisations assisted the community to build their memorial, which educates the public about the case and prays for the victims.

The commemoration is to remember and recognise the contribution of the people of Aceh, many from Pidie, who suffered humiliation and loss. The survivors are calling on the State not to bury the truth about what happened during the conflict period. The Rumoh Geudong Monument, inaugurated in 2018, is located in front of the former detention center, now the monument is the first step in transforming the former torture center into a public memorial to teach younger generations not to repeat the past.<sup>6</sup>

Civil societies continue to hold regular events, featuring video screenings, public lectures, prayers, and a photo exhibition showing the resilience of survivors. CSOs and victims' groups continue to encourage the Aceh Truth and Reconciliation Commission and the local government to recognize the victims of Rumoh Geudong and adopt a formal memorialization as a historical lesson in Aceh. In addition, the demand for judicial accountability for the case continues.

### **SIMPANG KKA TRAGEDY, NORTH ACEH**

On May 3, 1999, dozens of people were killed when military personnel opened fire at crossroads near Kertas Kraft Aceh (KKA) pulp and paper mill, known as Simpang KKA at North Aceh, near the Army Headquarters. This incident stems from the news that a soldier had reportedly gone missing. On 30 April 1999, four military trucks full of soldiers raised fear among people, raiding the village in search of their colleagues, raided houses, and interrogating villagers violently. They also threatened people that if the soldiers went missing, the military would attack and burn down the village. In consequence, thousands of people held large demonstrations on the main street to protest the violence and ask for protection. However, the military blocked the area and suddenly, soldiers opened fire toward the unarmed civilians. From this event, 46 civilians died, 7 of them were children; 156 suffered gunshot wounds and 10 people went missing.<sup>7</sup>

Two reporters were coincidentally at the location and filmed the incident, the news has now been circulated. It gained national and international attention. The victims' groups assisted by civil societies, including KontraS Aceh demanded accountability for this case. On the other hand, the survivors' community conducted annual commemorations by holding cultural/religious ceremonies.

After the Aceh peace process, the Aceh Reintegration Body as part of the government established the monument for Simpang KKA. This initiative was considered part of the government development project. The victims' community criticised the establishment of the monument, due to a lack of consultation from the victims, as well as a lack of recognition of the victims themselves. It was stated "Martyr Monument", acknowledging the existence of the combatant of the government side. Years later, after a lot of formal and informal lobbying with the district government and members of the district parliament, the victims' community, supported by civil society organizations built a new monument, not far away from the previous monument. The monument created symbols in memory of those who suffered violence at Simpang KKA, including recognising the names of the victims.

This case has also been investigated by Komnas HAM. Komnas HAM's ad hoc team concluded that they have met sufficient preliminary evidence of alleged crimes against humanity, part of a widespread or systematic attack directed against civilians, which killed 23 people, and recommended the prosecutions of 30 people.<sup>8</sup> Komnas HAM also recommended those responsible for crimes against humanity from the military apparatus. This conclusion was submitted to the Indonesian Attorney General's Office, in June 2016. Similarly, in the Rumoh Geudong case, the Attorney General ignored Komnas HAM's investigation. Despite this step, no one has been charged with the crimes.

### **3. How are important dates or events celebrated in the public sphere by officials?**

No official dates and celebrations in this case.

### **4. How are important dates or events commemorated in the local environment by victim and survivor communities/associations/civil society organisations centred on victims or survivors?**

#### **RUMOH GEUDONG**

Even though this place has been known to the public as a place of torture in Aceh, no regular commemorations have been carried out so far. The domiciles of the victims are far apart, therefore, consolidating them is a big challenge. Apart from that, politicians and the military often perceive efforts to maintain these memories as disturbances that threaten security. It is even said that the perpetrator group (the military) often states that they are ready to return to war if there are parties that disturb the peace.

However, Paska Aceh, a local organisation in Pidie has worked to strengthen the communities in the district and initiated the commemoration in 2017. With support from other civil society groups at the province and national level, including KontraS Aceh, LBH Aceh, and AJAR, Paska and the survivors' community conducted a commemoration at Rumoh Geudong to coincide with the International Day of Truth. This joint prayer included members of the national parliament, the head of the district, the head of Aceh Truth and Reconciliation Commissions, and the representatives from the National Commission on Human Rights and National Commission on Women, as well as several other officials. In this commemoration, the victim group also held a photo exhibition and feast which was attended by hundreds of people. This joint prayer is also an effort to recover from trauma or remove grudges from the victims. Implementation of warnings by combining a religious approach with a transitional justice approach is an effective strategy to avoid resistance from security forces who still shy away from past accountability.

One of the victims stated:

*"I sad and touched.. sad to remind my child that he was brought to the Rumoh Geudong. Touched that I can pray directly at the place where my child was tortured and lost, hopefully with remembrance and prayer, I can calm my heart and see you later in heaven." – A survivor from Tiro, Pidie.*

### **SIMPANG KKA TRAGEDY**

Contrastingly, the Simpang KKA has been regularly commemorated by survivors' groups with the support of civil society organisations at the provincial and national levels, including KontraS Aceh. The North Aceh Human Rights Victims Community (K2HAU) has actively conducted an annual gathering, having joint prayers, remembering the victims, and also consistently asking for accountability for its case. In the 2021 commemoration, one of the victims stated:

*"Therefore, we urge the President as the highest political authority in Indonesia to immediately carry out a settlement of gross human rights violations by establishing the human rights court into this case and immediately provide recognition of the Aceh TRC mechanism that was agreed upon in the Helsinki MoU."<sup>11</sup> – A survivor from North Aceh.*

In 2010 victims and civil society organisations conducted an unofficial truth-seeking process and gathered public hearings to hear testimony on the 1999 killings at Simpang KKA in North Aceh as part of a national movement called the Coalition of Revealing the Truth (*Koalisi Pengungkapan Kebenaran, KPK*).<sup>9</sup>

## 5. How are important dates or events celebrated in your organisation?

KontraS Aceh has been actively taking the initiative to remember the past violations in Aceh. The initiatives are:

- **Conducted the 'A Hallway Lemories – Lorong Ingatan'** event, where exhibitions, discussions, watching movies, and art installations are held as part of civil society's efforts to remember the tragedy of violence in the past. This exhibition collaborates with experienced photographers during the conflict as well as several artists to assemble several installations and murals as a medium to tell the grief of conflict in a different way.<sup>10</sup>
- **Virtual Human Rights Museum.** Through the online page [museumham.kontrasaceh.or.id](http://museumham.kontrasaceh.or.id), the public can collect information about the Aceh conflict. The museum provides documentation, including various articles containing stories from the Aceh conflict and survivors' stories about the violence they experienced. This virtual museum highlights the resilience of the survivors of the tragedy that befell them and reveals how they survive the day-to-day life of post-violence, tracing the events of human rights violations in Aceh. In this activity, participants from all walks of life in Aceh were invited to explore several sites of past human rights violations.
- **Human rights and transitional justice school, Sekolah Hak Asasi Manusia dan Keadilan Transisi.** KontraS Aceh invites the younger generation to participate in their Human Rights School which is held annually. This intensive study includes learning about human rights and transitional justice both in theory and practice, including the history of conflict, and learning to analyse and discuss several incidents of human rights violations in Aceh.
- **Supports community initiatives related to memorialisation**, including establishing memorials, for example, the Krueng Suri Tragedy in Aceh Jaya, where KontraS and the community built a monument to remember the brutal shooting incident against several civilians in the area. In the Jamboe Keupok massacre and Simpang KKA massacre, KontraS Aceh facilitated the group survivors to engage with local authorities to build a community memorialisation.
- **Supports community initiatives for the commemoration** of important dates. For example, in the KKA Simpang tragedy, KontraS Aceh organised the victim groups, supported the implementation of the commemoration event, and initiated the KKA Simpang monument. As well as a public hearing for this case. Another support is the commemoration of the tragedy of the massacre in Beutong Ateuh, Nagan Raya, which killed the religious leader, Tgk Bantaqiyah, and dozens of his students during the conflict. This celebration is held annually by offering prayers, religious lectures, and joint celebrations. In Jambo Keupok, South Aceh, KontraS Aceh participated in organising groups for victims of the Jambo Keupok massacre to conduct regular commemoration. In Sedie Jadi, Bener Meriah, KontraS Aceh together with the victims of the Kampung Kresek attack commemorated the tragedy by visiting the graves of the victims, facilitating the repair of the graves, and holding a prayer together.

For KontraS Aceh, the commemoration is important to preserve memories of dark events that have occurred in the past, to develop education, and encourage the state to be responsible for fulfilling the rights of victims, through judicial and non-judicial mechanisms. This initiative is also made to bridge the knowledge gap related to the history of conflict with the younger generation. KontraS Aceh seeks to make this knowledge the basis of thought for the next generation of Aceh so that similar things do not happen again.

In reducing the tension between the official narratives and the victim's and survivors' narratives around specific anniversary gaps, KontraS Aceh has been facilitating victims' groups to initiate their memorialization with the support of the local government and parliament. In Simpang KKA, besides the government memorial sites, the community has also established a memorial with more space for the acknowledgment of the victims. Under the monument are also engraved the names of the victims who died in the massacre. Similarly in Jamboe Keupok, the government erected the monument without completing a complete narrative about the history of the tragedy, so it was considered ambiguous by the public and resulted in rejection. KontraS Aceh encourages the full involvement of the victim community so that the memorialization truly represents the needs of the victims, not just a ceremonial event (imagery) carried out by the government to attract public sympathy.

## **6. Lessons Learned**

**Despite the ignorance and lack of political will from the state for accountability and acknowledgment of the survivors, civil society in Aceh and throughout Indonesia continues to conduct various initiatives to preserve the memories, and contribute to a historical alignment. In the uncertainty about guarantees of justice and non-repetition of violence itself, efforts to preserve memory should be seen as the most deeply rooted initiative of the victim community that needs to be respected and it is important to realise this through alternative means.**

Some lessons learned identified:

### **MEANINGFUL VICTIM-SURVIVOR PARTICIPATION**

In both areas, the role of victims' communities is very active in designing, collaborating, and developing the needs of the victims, which includes having annual commemorations and building memorials. The unofficial commemorations with survivors' groups often mean survivors have greater participation in the commemoration process and received social acknowledgment from the societies. Therefore gaining ownership over their narrative is important.

### **RECOGNISING UNOFFICIAL NARRATIVES**

Even though there exist no official narratives from the state, civic education is built from broad perspectives from the society and victims' group narratives. Regular events, which are based on religion and traditional aspects bring support from communities and provide unofficial truth for the events.

### **SUPPORT FOR VICTIMS' COMMUNITIES FOR HEALING**

Regular events that are conducted by CSOs and victims' communities brought alternative options for "justice", providing a healing process for victims and bringing peer support among victims.

### **SUPPORT FROM LOCAL GOVERNANCE INSTITUTIONS AND PARLIAMENT**

while the provincial government lacks political will, it is important to engage with local governance institutions and parliament to encourage more responsibilities for their communities.

### **CSO INITIATIVES THAT FACILITATE WIDER PUBLIC ENGAGEMENT**

Many CSOs commemorate memorial days with a sharing of victims' experiences through conferences, focus group discussions, and other campaigns. They also engage in policy reform initiatives, which are crucial to prevent future atrocities.

## **7. Identify best practices that serve to instill a culture of inclusive memory and the broader goals of reconciliation, confession, truth-seeking, education for future generations, and non-repetition.**

Messages in commemoration events for tragedies in various conflict locations contain civil urges toward the government. This continues to be done because there has yet to be a follow-up from the state. The pressure was also voiced when pushing for the establishment of the Aceh TRC. The community and various organisations jointly urged that the TRC be established as a forum for revealing the truth about the facts of past violence and recovering victims. Information regarding activities to commemorate past events in the form of exhibitions, traces of history, and so on are also disseminated in press statements and social media content, as a notification to the general public that a handful of civic elements together with the survivors and youth communities still have the initiative to fight forgetfulness of the past and the importance of mainstreaming a victim recovery perspective.

So far, the efforts made by KontraS Aceh have not reached a point of agreement regarding the official narrative that can be accepted by both victims and the state. Because there is no official history related to the Aceh conflict. Even for cases that have been decided in court, for example, the case of the Beutong Ateuh massacre, the government has not accommodated these facts into an official narrative that can be mutually accepted.

The victim community and CSOs have been pushing for (re)building of a national identity based on belonging to all social groups, based on respect for human rights and democracy

for a long time. However, the government, especially the military institutions, tends to avoid this discourse, even if they have different narratives regarding cases of violence. The military doesn't seem to want that narrative to come out to the public and be debated openly.

## ENDNOTES

- <sup>1</sup> AJAR, The Peace Process and Transitional Justice in Indonesia <https://asia-ajar.org/resources/books-research/the-peace-process-and-transitional-justice-in-aceh-indonesia/> - ask Adi to fill the link
- <sup>2</sup> AJAR and KontraS Aceh, Transitional Justice, Case Study of Indonesia <https://asia-ajar.org/wp-content/uploads/2020/09/English-Indonesia-Case-Study.pdf>
- <sup>3</sup> Rumoh Geudong, Aceh Wound Signed, CORDOVA, 2001
- <sup>4</sup> Merawat Ingatan, Menjemput Keadilan, Executive Summary of Gross Violations of Human Rights Cases, 2020.
- <sup>5</sup> Paska Aceh, KontraS Aceh, AJAR
- <sup>6</sup> Press release: https: Remembering Rumoh Geudong, raising hope for truth and justice in Pidie, Aceh, Indonesia <http://asia-ajar.org/2020/03/03/press-release-remembering-rumoh-geudong-raising-hope-for-truth-and-justice-in-pidie-Aceh-Indonesia/>
- <sup>7</sup> Aceh Coalition NGO database.
- <sup>8</sup> Merawat Ingatan, Menjemput Keadilan, Executive Summary of Gross Violations of Human Rights Cases, 2020.
- <sup>9</sup> AJAR and KontraS Aceh, Transitional Justice, Case Study of Indonesia <https://asia-ajar.org/wp-content/uploads/2020/09/English-Indonesia-Case-Study.pdf>
- <sup>10</sup> A hallway memories <https://kontrasaceh.or.id/tag/lorong-ingatan/>
- <sup>11</sup> Warga peringati 22 tahun Peristiwa Simpang KKA <https://www.ajnn.net/news/warga-peringati-22-tahun-tragedi-simpang-kka/index.html>



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