

**Refugee Review Tribunal  
AUSTRALIA**

**RRT RESEARCH RESPONSE**

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**Questions**

- 1). Please seek advice from Dr. Aspinall of the Australian National University regarding the existence and activities of any group operating in Sweden and/or Sydney under the name “Aceh Independence Organisation”.
- 2). Please seek advice from Dr. Aspinall regarding the activities and leadership of the group known as The Government of Independent Aceh Sumatra.
- 3). Please seek advice from Dr. Aspinall regarding the situation, both in Aceh and elsewhere in Indonesia, of advocates of Acehnese independence, or persons affiliated with groups which favour Acehnese independence.

**RESPONSE**

On 9 November 2006, Dr. Edward Aspinall of the Department of Political and Social Change at the Australian National University provided the RRT Research & Information Service with advice on factional splits in the *Gerakan Aceh Merdeka* (Free Aceh Movement or GAM), and on the likely situation in Aceh for advocates of Acehnese independence. On 18 September 2007, Dr. Aspinall provided the RRT Research & Information Service with advice on the group known as “The Government of Independent Aceh Sumatra”, and with updated advice on the likely situation in Indonesia for advocates of Acehnese independence (for Dr. Aspinall’s advice of 9 November 2006 see Aspinall, E. 2006, ‘Country Information Request IDN30882: “Factional splits in GAM”’, 9 November 2006 – Attachment 1; for Dr. Aspinall’s advice of 18 September 2007 see Aspinall, E. 2007, Email to RRT: ‘RRT Country Information Request IDN32369: The Government of Independent Aceh Sumatra’, 18 September – Attachment 2).

An email was sent to Dr. Aspinall on 19 November 2008, seeking updated advice on the likely situation in Indonesia for advocates of Acehnese independence, and on the group known as “The Government of Independent Aceh Sumatra”. The email also sought advice on the existence or activities of any group operating in Sweden and/or Sydney under the

name “Aceh Independence Organisation” (RRT Research & Information 2008, Email to Dr Edward Aspinall: ‘Country Information Request IDN34065’, 19 November – Attachment 3).

Dr. Aspinall responded via email on 2 December 2008. Dr. Aspinall attached to this email a copy of a letter written by him entitled “Situation in Aceh, and continuing risk of persecution and violence for supporters of Acehese independence”. The letter is dated 5 November 2008, and is addressed to the Registrar of the Refugee Review Tribunal. A substantial proportion of the information in Dr. Aspinall’s letter of 5 November 2008 is identical to that contained in his letter of 10 June 2008 to Senator Chris Evans, Minister for Immigration and Citizenship, also entitled “Situation in Aceh, and continuing risk of persecution and violence for supporters of Acehese independence”; the letter of 5 November 2008 also contains additional information on the recent situation of supporters of Acehese independence, and omits information regarding identity documentation for Acehese asylum seekers which is contained in the letter of 10 June 2008 (for Dr. Aspinall’s email response see Aspinall, E. 2008, Email to RRT: ‘RRT Country Information Request IDN34065’, 2 December – Attachment 4; for Dr. Aspinall’s letter to the RRT of 5 November 2008 Aspinall, E. 2008, Email to RRT: ‘Situation in Aceh, and continuing risk of persecution and violence for supporters of Acehese independence’, 5 November – Attachment 5; for Dr. Aspinall’s letter of 10 June to Senator Chris Evans, see Aspinall, E. 2008, ‘Letter to Senator Chris Evans: Situation in Aceh, and continuing risk of persecution and violence for supporters of Acehese independence’, 10 June – Attachment 6).

**1). Please seek advice from Dr. Aspinall of the Australian National University regarding the existence and activities of any group operating in Sweden and/or Sydney under the name “Aceh Independence Organisation”?**

Dr Aspinall’s email advice of 2 December 2008 follows below with the supplied question set in bold:

**1. Are you able to provide any information regarding the existence or activities of any group operating in Sweden and/or Sydney under the name “Aceh Independence Organisation”?**

...1. I am not aware of a group called the “Aceh Independence Organisation”. However, I have not for some time conducted research among members of the Aceh diaspora in Sweden or elsewhere, so I may not be a reliable source on this topic. The diaspora is also highly factionalised and a variety of small groups exist that from time to time change their names or use a variety of front names. This may be such a group, but I cannot venture a definite opinion on the matter. My PhD student, Antje Missbach ([antje.missbach@anu.edu.au](mailto:antje.missbach@anu.edu.au)) who has been researching the Aceh diaspora and is now the world’s leading authority on the topic may be better informed (Aspinall, E. 2008, Email to RRT: ‘RRT Country Information Request IDN34065’, 2 December – Attachment 4; RRT Research & Information 2008, Email to Dr Edward Aspinall: ‘Country Information Request IDN34065’, 19 November – Attachment 3).

RRT Research & Information Service can make further enquiries with regard to the existence and activities of a group known as the “Aceh Independence Organisation” if required.

**2). Please seek advice from Dr. Aspinall regarding the activities or leadership of the group known as The Government of Independent Aceh Sumatra**

Dr Aspinall's email advice of 2 December 2008 follows below with the supplied question set in bold:

**2. Are you able to provide any updated advice on the activities or leadership of the group known as The Government of Independent Aceh Sumatra?**

...2. Nor am I able to provide updated advice on the "The Government of Independent Aceh Sumatra" group, also because I have not been focusing my research attention recently on activities in the diaspora (Aspinall, E. 2008, Email to RRT: 'RRT Country Information Request IDN34065', 2 December – Attachment 4; RRT Research & Information 2008, Email to Dr Edward Aspinall: 'Country Information Request IDN34065', 19 November – Attachment 3).

**3). Please seek advice from Dr. Aspinall regarding the situation, both in Aceh and elsewhere in Indonesia, of advocates of Acehese independence, or persons affiliated with groups which favour Acehese independence?**

Dr Aspinall's email advice of 2 December 2008 follows below with the supplied question set in bold:

**3. Are you able to provide any updated advice on the situation, both in Aceh and elsewhere in Indonesia, of advocates of Acehese independence, or persons affiliated with groups which favour Acehese independence?**

...3. Regarding the situation, both in Aceh and elsewhere in Indonesia, of advocates of Acehese independence I refer you to my attached letter of 5 November 2008 sent to the RRT via the Legal Aid Commission. I do not have updated information to add (Aspinall, E. 2008, Email to RRT: 'RRT Country Information Request IDN34065', 2 December – Attachment 4; RRT Research & Information 2008, Email to Dr Edward Aspinall: 'Country Information Request IDN34065', 19 November – Attachment 3).

Dr. Aspinall's letter to the RRT of 5 November 2008 contains extensive advice regarding the likely situation in Indonesia of advocates of Acehese independence, with reference to the likely treatment of such persons both by Indonesian state authorities, and by members of the *Gerakan Aceh Merdeka* (GAM) who support the 2005 Helsinki Memorandum of Understanding. Relevant sections of Dr. Aspinall's letter of 5 November 2008 are reproduced below:

The political situation in Aceh has improved greatly since the signing of the Helsinki Memorandum of Understanding (MoU) between the Free Aceh Movement (GAM) and the Indonesian Government in August 2005, leading to a dramatic reduction of violence. However, violence continues at a low level and has in fact increased in recent months. Of particular concern for some Acehese refugees and asylum seekers in Australia, there are still real risks of political persecution and physical harm for person associated with GAM splinter groups which reject the Helsinki MoU and continue to advocate in favour of Acehese independence. These groups include the Majelis Pemerintahan – GAM (MP-GAM) and the Government of Independent Aceh-Sumatra. They are mostly active in exile (especially in Europe, Malaysia, the US and Australia) and have few active supporters in Aceh, in part precisely because of the dangers their supporters would face there.

In particular I would like to draw your attention to the following facts:

1. It continues to be a criminal act in Indonesia to advocate the independence of Aceh, or of any other part of Indonesia. Individuals known to be associated with groups like those named above which continue to favour Aceh's independence would run the risk of harassment, arrest or prosecution in Indonesia, if their presence, views and affiliations become known to the authorities. Over the last two years there have been several instances of persons being arrested and charged for separatist activities in other parts of Indonesia, including Papua, Maluku and West Java. While there was a lull in persecution of persons for their separatist beliefs in Aceh, this was mostly because GAM and other Acehnese nationalists repudiated their former support for independence, not because the outlook of the Indonesian authorities has changed. Over recent months, however, as political tensions have mounted in Aceh, senior military and police officials have repeatedly publicly warned that they would not tolerate support for 'separatism'. Recently, for instance, the Aceh newspaper *Serambi Indonesia* reported that military troops had detained a person for flying a flag bearing the name '*Partai GAM*' (GAM Party), which officials believe denotes support for separatism.

2. Individuals associated with these groups would also be at risk of harm from members and supporters of the mainstream GAM organisation. There is a history of bitter factional dispute, including violence, within the Acehnese pro-independence movement. During the conflict years (especially 1999-2005), members of MP-GAM were targeted by supporters of the mainstream GAM. Some were killed. Since the Helsinki MoU and local government elections in December 2006, members of the mainstream GAM now dominate local politics in Aceh. Much of the (low-level but ubiquitous) violence which continues to plague the territory has been caused by internal factional competition and rivalries among GAM members and supporters. In my fieldwork I have heard of two separate occasions where the epithet "MP-GAM" was used to justify violent attacks against a group (in Sawang, North Aceh) accused of disobeying the GAM leadership. Hostility to MP-GAM continues to run very deep among supporters of the mainstream GAM. Anybody associated with MP-GAM or allied anti-MoU groups, if returned to Aceh, would in my view thus face a real risk not only of political persecution, but also of violent attack (Aspinall, E. 2008, Email to RRT: 'Situation in Aceh, and continuing risk of persecution and violence for supporters of Acehnese independence', 5 November – Attachment 5).

### **List of Sources Consulted**

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### **List of Attachments**

1. Aspinall, E. 2006, 'Country Information Request IDN30882: "Factional splits in GAM"', 9 November 2006.
2. Aspinall, E. 2007, Email to RRT: 'RRT Country Information Request IDN32369: The Government of Independent Aceh Sumatra', 18 September.
3. RRT Research & Information 2008, Email to Dr Edward Aspinall: 'Country Information Request IDN34065', 19 November.

4. Aspinall, E. 2008, Email to RRT: 'RRT Country Information Request IDN34065', 2 December.
5. Aspinall, E. 2008, Email to RRT: 'Situation in Aceh, and continuing risk of persecution and violence for supporters of Acehnese independence', 5 November.
6. Aspinall, E. 2008, 'Letter to Senator Chris Evans: Situation in Aceh, and continuing risk of persecution and violence for supporters of Acehnese independence', 10 June.