

Country/entity	Indonesia Moluccas
Region	Asia and Pacific
Agreement name	The Moluccas Agreement in Malino ('Malino II')
Date	12 Feb 2002
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Indonesian Conflicts (1976 -)

Aceh Conflict (1976 -)

After a decade of increasing grievances against the centralist tendencies of the Suharto-government, the Free Aceh Movement (GAM) started a military campaign in 1976 for the independence of the province in the far northeast of the Indonesian archipelago. After near defeat in 1979, GAM regained strength with Libyan support and the heaviest fighting occurred during the late 1980s when the Indonesian military intensified its violent counter-insurgency policies. The devastating tsunami in December 2004 effectively destroyed Aceh's infrastructure and severely reduced the operational capabilities of GAM. This weakening led to a signed peace agreement in August 2005, facilitated by the Finish NGO CMI Peace Negotiations.

Indonesia-Moluccas Conflict (1999-2002)

The fall of Suharto in 1997 sparked off a number of conflicts across Indonesia. In the Moluccas region, the administrative division was divided into Moluccas and North Moluccas, thereby exacerbating a conflict characterised by communal and sectarian divisions. In part these divisions were a result of an official government transmigration programme running from late 1960s onwards that spurred conflict over resources, including land. Faith-based militias were generally responsible for the fighting from 1999 until 2002, including Laskar Jihad, and human rights abuses were committed by both sides. Opportunistic crime was also responsible for of the violence. The military campaign by Lashkar Islam was aimed to displacing Christian residents. One such event was the expulsion of the Christian residents of the Banda Islands in April 1999. The conflict ended with the signing of the Malino II Accord on 13 February 2002.

Close

Indonesian Conflicts (1976 -)

Stage	Framework/substantive - partial
Conflict nature	Inter-group
Peace process	Moluccas peace process

Parties	thirty-five Christian and thirty-five Muslim delegates [signed]
Third parties	Indonesian Government, led by Coordinating Minister for People's Welfare Mr. Jusuf Kalla
Description	An 11-point joint declaration agreed to by both Christian and Muslim delegates, emphasizing a respect for cultural and religious heritage, an end to illegal armed groups, joint security patrols, the unity of Indonesia, a return of refugees, socio-economic reconstruction, the rule of law and fair recruiting practices at the Pattimura University.

Agreement document	ID_020214_Moluccas Agreement in Malino (Malino II).pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	<p>Groups→Religious groups→Rhetorical Page 2, - to rehabilitate mental, social, economic and public infrastructures, particularly educational, health, religious, and housing facilities, supported by the Indonesian Government</p> <p>Page 2, - to uphold good relationship and the harmony among all elements of believers in the Moluccas, all efforts of evangelism must highly honor the diversity and acknowledge local culture</p> <p>Groups→Religious groups→Other Page 2, - to establish a national independent investigation team to investigate among others, the tragic incident on January 19, 1999, ... Christian Republic of South Moluccas (Kristen Republik Maluku Selatan-Kristen RMS), jihad warrior (laskar jihad), Christ Warrior (laskar Kristus), coercive conversion, and human rights violation</p>
Indigenous people	No specific mention.
Other groups	No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Rhetorical
Page 1, - to call for the voluntarily return of refugees to their homes, and the return of properties

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration Page 1, - that as part of the Unitary State of the Republic of Indonesia, the people of the Moluccas have the rights to stay and work legally and fairly in the Republic of Indonesia nationwide and vice versa, by respecting the local culture, law and order

Page 1, - to reject and oppose all kinds of separatist movements, among others the Republic of South Moluccas (RMS), that threaten the unity and sovereignty of the Unitary State of the Republic of Indonesia

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/ religious leaders	<p>Page 1, Minister Jusuf Kalla read the peace accord, a resolve encapsulated in their joint declaration known as the 11-point "The Moluccas Agreement in Malino", before local religious and tribal leaders at the end of the meeting, namely that the two sides have agreed:...</p> <p>Page 1, ...The Declaration was signed by all those from the two sides who attended the Poso meeting, comprising of twenty-four Christian and twenty-five Muslims delegates...</p>
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	<p>Power sharing→Military power sharing→Proportionality</p> <p>Page 2, In addition, the truce calls for the establishment of two joint commissions. One will monitor the law and order, and the other will oversee social and economic conditions. It also makes provision for the establishment of joint security patrols.</p>

Human rights and equality

Human rights/RoL general Page

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights Human rights and equality→Civil and political rights→Equality
Page 2, - to support the rehabilitation of Pattimura University for common progress, as such, the recruitment system and other policies will be transparently implemented based on the principle of fairness while upholding the necessary standard.
Human rights and equality→Civil and political rights→Freedom of movement
Page 1, - that as part of the Unitary State of the Republic of Indonesia, the people of the Moluccas have the rights to stay and work legally and fairly in the Republic of Indonesia nationwide and vice versa, by respecting the local culture, law and order

Socio-economic rights Human rights and equality→Socio-economic rights→Work
Page 1, - that as part of the Unitary State of the Republic of Indonesia, the people of the Moluccas have the rights to stay and work legally and fairly in the Republic of Indonesia nationwide and vice versa, by respecting the local culture, law and order

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions Page 2, Untitled Preamble, ... The Moluccas violence started in January 1999 following a minor argument in the provincial capital of Ambon. A state of civil emergency was declared on the Moluccas and neighboring North Moluccas in June 2000, allowing the military and police to enforce curfews....

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 2, In addition, the truce calls for the establishment of two joint commissions. One will monitor the law and order, and the other will oversee social and economic conditions. It also makes provision for the establishment of joint security patrols.
Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 2, - to rehabilitate mental, social, economic and public infrastructures, particularly educational, health, religious, and housing facilities, supported by the Indonesian Government

Page 2, - to support the rehabilitation of Pattimura University for common progress, as such, the recruitment system and other policies will be transparently implemented based on the principle of fairness while upholding the necessary standard.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage Land, property and environment→Cultural heritage→Intangible
Page 2, - to uphold good relationship and the harmony among all elements of believers
in the Moluccas, all efforts of evangelism must highly honor the diversity and
acknowledge local culture
Land, property and environment→Cultural heritage→Promotion
Page 1, - that as part of the Unitary State of the Republic of Indonesia, the people of the
Moluccas have the rights to stay and work legally and fairly in the Republic of Indonesia
nationwide and vice versa, by respecting the local culture, law and order

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

Security Guarantees

Page 2, In addition, the truce calls for the establishment of two joint commissions. One will monitor the law and order, and the other will oversee social and economic conditions. It also makes provision for the establishment of joint security patrols.

Page 2, - to preserve law and order for the people in the area, it is absolutely necessary for the military and the police to maintain coordination and firmness in executing their function and mission. In line with this, a number of military and police facilities must be rebuild and re-equipped to enable them to function properly

Page 2, The Moluccas violence started in January 1999 following a minor argument in the provincial capital of Ambon. A state of civil emergency was declared on the Moluccas and neighboring North Moluccas in June 2000, allowing the military and police to enforce curfews.

Ceasefire

No specific mention.

Police

Page 1, - to abide by due process of law enforcement fairly, faithfully, honestly and impartially, supported by the communities. Therefore, the existing security officers are obliged to be professional in exercising their mission

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Armed forces

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DDR

Security sector→DDR→Demilitarisation provisions

Page 1-2, - to ban and disarm illegal armed organizations, groups, or militias, in accordance with the existing law. Outsider parties that disturbs the peace in the Moluccas will be expelled from the Moluccas

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces	<p>Page 1, - to reject and oppose all kinds of separatist movements, among others the Republic of South Moluccas (RMS), that threaten the unity and sovereignty of the Unitary State of the Republic of Indonesia</p> <p>Page 1-2, - to ban and disarm illegal armed organizations, groups, or militias, in accordance with the existing law. Outsider parties that disturbs the peace in the Moluccas will be expelled from the Moluccas</p> <p>Page 2, - to establish a national independent investigation team to investigate among others, the tragic incident on January 19, 1999, the Moluccas Sovereign Front (Front Kedaulatan Maluku-FKM), Republic of South Moluccas (Republik Maluku Selatan-RMS), Christian Republic of South Moluccas (Kristen Republik Maluku Selatan-Kristen RMS), jihad warrior (laskar jihad), Christ Warrior (laskar Kristus), coercive conversion, and human rights violation</p>
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	<p>Page 2, - to establish a national independent investigation team to investigate among others, the tragic incident on January 19, 1999, the Moluccas Sovereign Front (Front Kedaulatan Maluku-FKM), Republic of South Moluccas (Republik Maluku Selatan-RMS), Christian Republic of South Moluccas (Kristen Republik Maluku Selatan-Kristen RMS), jihad warrior (laskar jihad), Christ Warrior (laskar Kristus), coercive conversion, and human rights violation</p>
Prisoner release	No specific mention.
Vetting	No specific mention.

Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
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Other international signatory	No specific mention.
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Referendum for agreement	No specific mention.
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International mission/force/similar	No specific mention.
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Enforcement mechanism	Truce calls for establishment of two joint commissions, one to monitor law and order, the other social and economic conditions. Also provision for joint security patrols.
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Related cases	No specific mention.
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Source	UN Peacemaker; http://peacemaker.un.org/sites/peacemaker.un.org/files/ID_020214_Moluccas%20Agreement%20in%20Malino%20%28Malino%20II%29.pdf
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