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Viewing cable 08JAKARTA672, EAST TIMOR/INDONESIA COMMISSION COMPLETES REPORT

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Table with 5 columns: Reference ID, Created, Released, Classification, Origin. Row 1: 08JAKARTA672, 2008-04-03 08:27, 2011-08-30 01:44, CONFIDENTIAL, Embassy Jakarta

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TAGS: PREL PHUM PGOV TT ID
SUBJECT: EAST TIMOR/INDONESIA COMMISSION COMPLETES REPORT
ON 1999 EVENTS

REF: A. JAKARTA 163

B. 07 JAKARTA 3339 AND PREVIOUS

Classified By: Pol/C Joseph Legend Novak, reasons 1.4 (b+d).

1. (C) SUMMARY: The Timor Leste-Indonesia Commission of Truth and Friendship (CTF) has completed its report and will submit it to the two governments soon. The unanimous findings hold both pro-Indonesian and pro-independence militias responsible for gross human rights violations which occurred in 1999. It also will indirectly implicate elements of Indonesia's military. The report will not implicate individuals nor hold the GOI responsible. Over all, an Indonesian contact told us the report will be a tough read on the Indonesian side. Hopefully, the frankness of the report and its forward-leaning recommendations can help heal wounds in the bilateral relationship. END SUMMARY.

REPORT IS COMPLETE

2. (C) Members of a key joint committee investigating human rights abuses in East Timor in 1999 have completed their report. Following the vote for independence in an August 30 referendum, pro-Indonesian militias killed over a thousand East Timorese and displaced hundreds of thousands in a scorched earth rampage. (Note: CTF Commissioner Wisber Loeis told DepPol/C on April 1 that the Commission has completed the final draft of its report in both the Indonesian and English languages and is in the process of polishing the report. The consensus findings will be presented to the leaders of the two countries by the end of April. The two governments will then decide when to publicly release it.)

3. (C) Members of CTF are drafting the executive summary. Loeis said the two governments have been briefed thoroughly enough on the findings that he is confident they will support the report. Still, the Indonesian Foreign Ministry's Director General for Human Rights told Loeis recently that the report will be a "bombshell" for the GOI in that it does implicate elements of the military, and because it explicitly finds gross human rights violations and crimes against humanity.

4. (C) The process has been exhaustive and complex. The 350-page report was based on major UN findings--the Commission for Reception, Truth and Reconciliation for East Timor (CAVR) report and the Serious Crimes Unit report, as well as transcripts from the GOI's Ad Hoc East Timor Tribunal and the Indonesian Human Rights Commission fact-finding report on human rights violations in East Timor, Loeis said. CTF also relied on public and private hearings, public workshops and extensive field interviews.

¶5. (C) Four American scholars assisted in the research and drafting process. The Indonesian military (TNI) provided substantial documentation but did not provide the daily field reports that CTF requested. The report of record will be in the Indonesian language for purposes of reference. The report will be translated later into Portuguese and the East Timorese language Tetun. Asked if the U.S. Embassy could get a bootleg copy of the report before it is made public so that we can prepare our reaction, Loeis agreed that this would be desirable and said he would see if it was feasible.

ASSIGNING RESPONSIBILITY

¶6. (C) The report is apparently quite frank and to the point. Loeis said militias were primarily responsible for violations. Pro-integration militias committed the worst violations including massacres and rapes while the pro-independence militias' culpability was more limited to forced detentions. The report will analyze the role of militias district by district. The report also will detail

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all the actors involved, including institutions, such as elements of the Indonesian military that supported violations with arms, training, funds, or instructions. Institutional blame will be at the local level, not rising to the level of regional TNI commander, Loeis said.

¶7. (C) Its conclusions only go so far. Describing the tenor of the report, Loeis said there was no evidence of any high-level support or policy directions which contributed to the violence. On the contrary, Jakarta instructions were for security forces to remain neutral, to maintain calm and to evacuate citizens. However, the report will find that a reconstruction of events does indirectly implicate Indonesian institutions. The report will describe a situation in which everything went wrong, and officials at the local levels took ad hoc actions which contributed to violence. Also, many of the Indonesian security forces were from East Timor and they left their posts to help themselves, friends and family, Loeis asserted.

¶8. (C) Continuing, Loeis said some officials interpreted their roles as a responsibility to help pro-integrationists win the referendum, and thus provided arms and funds to militias. Some TNI members left their posts to participate in militia violence, such as one Special Forces (Kopassus) sergeant who left his post to join a militia out of nationalistic fervor. A regent (district head) is reported to have instructed the military to detain citizens at military headquarters. Some East Timorese pro-independence Falantil fighters left their command to commit violations outside the auspices of their commander, according to Loeis.

¶9. (C) Loeis recounted interviews with six police chiefs recently assigned to East Timor because they were rising stars who could handle challenging assignments, but who ended up being blamed for the chaos that ensued. All six were in tears when they recounted to CTF how the events hurt their careers and ruined their lives, and those of their families, Loeis recalled. Many officials tried to help as well, such as one district military commander married to an East Timorese who helped transport persons on both sides of the conflict to safety. Many police helped get people to safety in West Timor. (Note: See septel on recent turbulence involving East Timorese refugees in West Timor.)

¶10. (C) One chapter in the report will give an overview of events going back to 1975, referring to "the presence of Indonesia" in East Timor, with a footnote that whether East Timor was part of Indonesia or whether Indonesia was an occupying force is a matter of debate.

LOOKING AHEAD

¶11. (C) The report is not only retrospective, but will have recommendations for next steps, such as restorative collective justice and human rights training for police and military using lessons learned from 1999, Loeis said (see reftels). CTF will recommend opening a "documentation and conflict resolution center" in Dili, with a branch office in Jakarta. CTF hopes that both governments will help to fund this center and plans to request assistance from international donors as well, including the USG, he said.

¶12. (C) In our estimation, the report as described will be a major step forward in accountability but will not satisfy critics who expect direct institutional responsibility and individual responsibility to be assigned. However, the report--given that its findings are reportedly unanimous and the exhaustive process involved--should provide a way forward to heal wounds, to strengthen Indonesian-East Timor ties and to prevent future abuses. Points for a proposed USG response are reviewed in ref A.

HUME