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Viewing cable 07JAKARTA3339, EAST TIMOR -- FINDINGS OF FINAL COMMISSION REPORT

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Table with 5 columns: Reference ID, Created, Released, Classification, Origin. Row 1: 07JAKARTA3339, 2007-12-07 04:15, 2011-08-30 01:44, CONFIDENTIAL, Embassy Jakarta

VZCZCXRO5860 OO RUEHCHI RUEHCN RUEHDT RUEHHM DE RUEHJA #3339/01 3410415 ZNY CCCCC ZZH O 070415Z DEC 07 FM AMEMBASSY JAKARTA TO RUEHC/SECSTATE WASHDC IMMEDIATE 7302 INFO RUEHXS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY RUEHDT/AMEMBASSY DILI PRIORITY 0903 RUEHBY/AMEMBASSY CANBERRA 1714 RUEHWL/AMEMBASSY WELLINGTON 2125 RUEHLI/AMEMBASSY LISBON 2973 RUEHKO/AMEMBASSY TOKYO 1271 RUEHLO/AMEMBASSY LONDON 0833 RUEHBAD/AMCONSUL PERTH 0489 RUEAIIA/CIA WASHDC RHEHNSC/NSC WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 003339

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DEPT FOR EAP, EAP/MTS, DRL/PHD, EAP/MLS, EAP/ANP NSC FOR EPHU

E.O. 12958: DECL: 12/07/2017 TAGS: PREL PHUM PGOV TT ID AU SUBJECT: EAST TIMOR -- FINDINGS OF FINAL COMMISSION REPORT COME INTO SOME FOCUS

REF: A. JAKARTA 3223

B. JAKARTA 3008

JAKARTA 00003339 001.2 OF 002

Classified By: Pol/C Joseph Legend Novak, reasons 1.4 (B-D).

¶1. (C) SUMMARY: The Indonesia Timor-Leste Commission of Truth and Friendship (CTF) is likely to cite gross human rights violations involving both pro-Indonesian and pro-independence forces in its final report to be issued in February 2008, an Indonesian Commissioner told us. The Commission is also examining previous statements by leaders of the two countries which publicly expressed words of reconciliation and regret. The Commissioner also discussed the killing of five foreign journalists in 1975. END SUMMARY.

DISCUSSING THE FINAL REPORT

¶2. (C) Mission is receiving initial details about what will be included in the CTF's final report. Indonesian CTF Commissioner Wisber Loeis told DepPol/C December 6 that after deliberating six days a week since it completed its public hearings on October 24 (ref A) the CTF has made a breakthrough in agreeing to report that "gross human rights violations" occurred in East Timor in 1999. The report will lay blame on both pro-integration and pro-independence forces, with greater guilt falling on the pro-Indonesian side, Loeis said. Loeis added that Lt. General (Ret) Agus Widjojo Tarmidzi, the Indonesian chair of the Commission and Ambassador to East Timor in 1999, will face a tough task in informing Indonesian leaders that the CTF concluded that such serious human rights violations were committed by Indonesian or pro-Indonesian forces. The report will include some details on these violations, Loeis said.

¶3. (C) The institutions responsible will be primarily militias, he said. There was no evidence that the GOI gave instructions from the central level. In fact, the national police had a policy to protect everyone threatened, he said. In many cases, East Timor police simply abandoned their posts to protect their own families and fled the country once law and order broke down, not leaving enough forces to maintain order. No individuals admitted any violations in testimony, but the Commission was able to arrive at findings of culpability through other evidence.

¶4. (C) Another breakthrough has been the East Timorese side's willingness to admit that Fretelin independent forces also were responsible for violations, which will be reflected in the report, Loeis said.

RECONCILIATION AND REGRET?

¶5. (C) The Commission also is examining previous public expressions of reconciliation and regret by the presidents of the two countries. Loeis cited statements by East Timor's Prime Minister Xanana Gusmao, who in 2002 when he was president, stated that Indonesia's Governor in East Timor in 1999, Abilio Soares, was not responsible for human rights violations. The Commission also discovered an Indonesian newspaper article from March 2000 in which President Aburrahman Wahid apologized to the East Timorese in a public speech he made in Dili, East Timor, on February 29. The article in leading national newspaper "Kompas" quotes Wahid as saying:

"I want to ask for forgiveness for all that has happened in the past, to the families and friends of the victims of Santa Cruz as well as the friends and families buried at the National Heroes Cemetary. All were victims of things we did not want. Hopefully, in the future this will not be repeated...We all suffered the same suffering. You were oppressed and we were oppressed...Hopefully, we can move on from the past difficulties and suffering."

¶6. (C) Loeis said two more months of difficult deliberations still await the Commission, but said he is satisfied with progress made to date. The Indonesians and East Timorese members of the Commission have "bonded" during their work and the CTF is likely to produce a unanimous report, although he

JAKARTA 00003339 002.2 OF 002

did not preclude the possibility of a minority opinion.

"BALIBO FIVE" KILLINGS

¶7. (C) In a separate matter not under the purview of the CTF report, Loeis commented about the 1975 killing of several foreign journalists in East Timor. He told DepPol/C about his presence at a meeting in 1975 when Foreign Minister Adam Malik was first briefed on the Indonesian military's killing of two Australian, two British and one New Zealand journalist in Balibo, East Timor. Loeis was a senior diplomat and the notetaker for the meeting, he said. The GOI maintains that the journalists were killed in cross-fire while others maintain it was deliberate (ref B).

¶8. (C) Loeis said that Malik, Armed Forces Commander Maraden Paggabean and other senior security officials, all expressed shock at the news. One senior security official said the military should have arrested the journalists instead so that they could be questioned in Jakarta, Loeis recounted. Malik was upset that what was supposed to be an easy conquest had turned into such a quagmire while Paggabean was in tears because so many of his troops were being killed, Loeis recalled. Loeis said he had no direct knowledge of whether the "Balibo Five" killings were intentional, but he suspects they were and that there was a clumsy attempt at cover-up, he said.
HUME