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Viewing cable 08JAKARTA992, EAST TIMOR -- HUMAN RIGHTS ACTIVISTS SUPPORTIVE OF

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Table with 5 columns: Reference ID, Created, Released, Classification, Origin. Row 1: 08JAKARTA992, 2008-05-19 08:41, 2011-08-30 01:44, CONFIDENTIAL, Embassy Jakarta

VZCZCXRO7394 OO RUEHCHI RUEHCN RUEHDT RUEHHM DE RUEHJA #0992/01 1400841 ZNY CCCCC ZZH O 190841Z MAY 08 FM AMEMBASSY JAKARTA TO RUEHC/SECSTATE WASHDC IMMEDIATE 9039 INFO RUEHXS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY RUEHBY/AMEMBASSY CANBERRA 2513 RUEHKO/AMEMBASSY TOKYO 1984 RUEHWL/AMEMBASSY WELLINGTON 2660 RUEHLI/AMEMBASSY LISBON 2996 RUEHBJ/AMEMBASSY BEIJING 5050 RUEHLO/AMEMBASSY LONDON 0878 RUEHLM/AMEMBASSY COLOMBO 1017 RUEHKA/AMEMBASSY DHAKA 0967 RUEHHK/AMCONSUL HONG KONG 2679 RUEHBD/AMCONSUL PERTH 0807 RHEFDIA/DIA WASHINGTON DC RHEHNSC/NSC WASHDC RUEAIIA/CIA WASHDC

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SIPDIS

DEPT FOR EAP, EAP/MTS, DRL/AWH, EAP/MLS, EAP/ANP, EUR/WE NSC FOR EPHU

E.O. 12958: DECL: 05/19/2018 TAGS: PREL PHUM PGOV TT ID SUBJECT: EAST TIMOR -- HUMAN RIGHTS ACTIVISTS SUPPORTIVE OF COMMISSION REPORT

REF: A. JAKARTA 825 ¶B. JAKARTA 163

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

¶1. (C) SUMMARY: The Timor Leste-Indonesia Commission of Truth and Friendship (CTF) has invited the Presidents of the two countries to Bali on May 26 to receive its final report. The CTF's Summary--presented to the two governments in April--has been leaked to human rights activists who tell us privately that the report exceeds their expectations. President Yudhoyono reportedly supports the report while elements of the Indonesian military and retired officers are said to be uncomfortable. International support for the report and its backing of reform could help Indonesia make new breakthroughs in human rights. Paras 8-9 recommend ways the USG can support the CTF process. END SUMMARY.

¶2. (C) CTF Commissioner Wisber Loeis told DepPol/C on May 15 that the final version of the CTF report hit the printing presses the previous day. The CTF has invited the two Presidents to receive the report in Bali on May 26 and is awaiting their response.

REPORT IS "STUNNING"

¶3. (C) Human rights activists and members of Parliament (MP) who saw leaked copies of the report's Executive Summary told DepPol/C that the report's assigning institutional responsibility to GOI security forces for gross human rights abuses (reftel) will have far reaching consequences. MP Marzuki Darusman, former deputy chair of the National Human Rights Commission, called the report "stunning." Asmara Nababan, a pioneer of the human rights movement in Indonesia, said the report "exceeded all expectations." Usman Hamid, the leading human rights attorney for victims of past abuses, said he believes the report might be concrete enough to serve as a basis to reopen cases against those who, thus far, have not been prosecuted for their crimes.

¶4. (C) An American advisor to the CTF told the DCM on May 7 that the CTF report could conceivably lead to prosecutions in Indonesia. He said Marzuki Darusman had indicated that he would support such prosecutions and he believes that the Indonesian CTF Co-Chair Lt. General (Ret) Agus Widjojo, might also. Widjojo is a close confidante of President Susilo Bambang Yudhoyono and is believed to be responsible for Yudhoyono being so well briefed on the report. In a February meeting that Yudhoyono called with Commissioners to brief key members of his Cabinet in Jakarta, Yudhoyono cut off the Attorney General's criticism that the report is based on

international--not Indonesian law, according to a contact who attended the meeting. The President pointed out that, by mutual agreement, the CTF's mandate is based on the Rome Statute--which set up the International Criminal Court in the Hague.

MILITARY ELEMENTS SCHEMING TO DISCREDIT REPORT?

¶5. (C) Widjojo was responsible for the CTF's strong recommendations on Indonesian military (TNI) reform and accountability, as well as the powerful language linking security forces with militias in the rape and carnage which occurred in East Timor immediately following the August 1999 referendum on autonomy, Cohen told us. As a retired general, Widjojo has also had the painful task of persuading the TNI to accept the report, Loeis told us. Darusman told DepPol/C on May 15 that his sources in Indonesian intelligence told him elements of the TNI are planning how to publicly discredit the report by saying it is based on biased sources. Furthermore, they are trying to persuade President Yudhoyono to undermine the report, asking him to publicly criticize it when the two Presidents release it to the public.

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¶6. (C) Loeis said influential generals already had tried to persuade him to change the language in the final draft from "gross violations of human rights" to human rights violations, but he flatly refused. The American advisor said some TNI units and individual members are named in the report by way of illustration, as well as the Special Forces (Kopassus), although Kopassus is not highlighted.

¶7. (C) The American advisor told the DCM that General (ret) Wiranto, who was TNI Commander in 1999 and is accused of human rights violations, had a mole on the CTF, Ahmad Ali, a law professor who was investigated for corruption. (Note: Wiranto is now a dark horse presidential candidate for 2009.) This member tried to water down the report but ended up isolating himself and eventually joined in the unanimous acceptance of a strong report. Indonesian Deputy Chair Benjamin Mangkoedilaga, although pro-TNI, asserted no influence, Cohen said. The East Timorese commissioners disagreed more among each other than did commissioners from the two countries, he added.

USG SHOULD SUPPORT RECOMMENDATIONS

¶8. (C) Cohen and Loeis both asked for USG support for two recommendations in the report:

-- To provide human rights training to security forces and civilian authorities; and,

-- To set up a Documentation and Conflict Resource Center (DRRC) in Dili with a partner center in Jakarta.

¶9. (C) CTF is applying for various funding sources, particularly from the USG. USG financial support to support realization of these two recommendations would be important in demonstrating our support for the CTF and would help ensure that the CTF makes concrete strides in helping Indonesia improve its human rights record. Points for a proposed USG public response are reviewed in ref B.

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