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Viewing cable 09DILI299, SJAFRIE SJAMSOEDDIN'S HISTORY IN TIMOR-LESTE

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Reference ID	Created	Released	Classification	Origin
09DILI299	2009-11-06 08:30	2011-08-24 01:00	UNCLASSIFIED	Emb

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SIPDIS

STATE FOR EAP, EAP/MTS, EAP/RSP AND CA/FO
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E.O. 12958: N/A

TAGS: PHUM PREL CVIS ID TT

SUBJECT: SJAFRIE SJAMSOEDDIN'S HISTORY IN TIMOR-LESTE

REF: A. JAKARTA 1785

Â¶B. JAKARTA 1732

Â¶C. JAKARTA 1571

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Â¶1. SUMMARY: Indonesian General Sjafrie Sjamsoeddin served in Timor-Leste on multiple occasions during the Indonesian occupation. As commander of the Kopassus Intelligence Task Force in 1991 he was present for the November 12 Santa Cruz massacre in which many dozens of peaceful protestors were killed and dozens more remain missing. His claim that he was rescuing Western journalists during the massacre cannot be confirmed. Sjamsoeddin served in Timor-Leste again in 1999 at the time of the August 30 popular consultation. Multiple independent investigations declare him criminally responsible for the atrocities that occurred at that time, and put him near the top of the list of responsible parties. END SUMMARY.

Indonesian Invasion and Early Occupation

Â¶2. Sjafrie Sjamsoeddin played an active role in Indonesia's occupation of Timor-Leste from the moment of the invasion in Â¶1975. He was part of Operation Seroja and a Group Commander in Komando Pasukan Sandi Yudha, the forerunner of Kopassus, playing a role in both combat and intelligence. He then served as Commander of a Nanggala counter-insurgency unit in 1976. The Nanggala units were known in Timor-Leste for their brutality and ferocity.

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1991 Santa Cruz Massacre

¶3. Sjamsoeddin served again in Timor-Leste from 1990 to 1992 as part of Kopassus' Intelligence Task Force (Satuan Tugas Intelijen or SGI). Although Sjamsoeddin does not list his military affiliations on his non-immigrant visa application, as required, other sources identify him as the SGI commander in Timor-Leste during this period.

¶4. On the morning of 12 November 1991, Indonesian security forces opened fire on a thousand or more demonstrators gathered at the Santa Cruz Cemetery in Dili. The crowd was attending a flower-laying service for Sebastiao Gomes, a Timorese killed in a raid on the Motael Church several weeks earlier. The Timor-Leste Commission for Reception, Truth and Reconciliation (CAVR), an independent body created and operated with the support of the United Nations which has produced the most comprehensive documentation to date of the 1974 to 1999 period in its 2500-page Chega! report, estimates that 200 mourners were killed or remain missing. Two Portuguese NGOs put the number of dead or missing at over 500. A UN Special Rapporteur concluded subsequently that the procession was a peaceful demonstration. Forensic evidence presented in court proceedings showed that a high proportion of the victims sustained bullet wounds in the back.

¶5. Ten low-ranking members of the security personnel involved in the events of 12 November were tried and convicted before military courts in Indonesia. Sentences ranged from eight to 18 months and all those convicted were dishonorably discharged. Other security personnel were not charged on the grounds that they were following orders of superior officers. The convicted personnel included at least one intelligence officer.

¶6. Multiple Western journalists were present in Dili on November 12, including Americans Allen Nairn and Amy Goodman, Australian Bob Muntz and Briton Max Stahl. All have spoken

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publicly or written about their experiences surrounding the Santa Cruz Massacre. None of these journalists have ever mentioned a rescue scenario like the one Sjamsoeddin claims to have been involved in. Similarly, there is no record in the CAVR archives or with the November 12 Committee, a Timorese NGO dedicated to preserving testimonial records and identifying the missing victims of the massacre, that corroborates Sjamsoeddin's version of his whereabouts on November 12.

¶7. Several Timor-Leste experts characterize Sjamsoeddin as the key man behind the Santa Cruz massacre. They cite testimony received from Timorese observers as well as Sjamsoeddin's position as the in-country head of Kopassus intelligence.

1999 Popular Consultation

¶8. Sjamsoeddin became Asisten Teritorial Kepala Staf Umum (Aster Kasum) for the TNI in 1998 (Territorial Assistant to the Armed Forces Chief of General Staff, Lt. Gen. Sugiono). He remained in that position throughout 1999, including during the extensive violence that surrounded the August 30 popular consultation. Multiple independent investigations identify Sjamsoeddin as a direct participant in the gross human rights violations that

occurred in Timor-Leste in 1999.

¶9. The late Sergio Vieira de Mello, at the time UN Transitional Administrator in East Timor, commissioned a report on the nature and causes of the atrocities committed in 1999. It found that widespread extra-judicial, summary or arbitrary executions, including both mass murder and individual killings, as well as torture and violence against women, were carried out against the people of East Timor. The report recommended 23 senior military officers for criminal investigation for crimes against humanity.

It put at the top of the list the generals that "planned the formation of the militia, providing its units with arms, money, and targets." Sjamsoeddin was third on the list, after Zacky Anwar Makarim and Adam Damiri. The report assessed that Sjamsoeddin was "one of the key military officers responsible for the development of the TNI strategy that led to serious crimes against humanity in East Timor."

¶10. A report commissioned by the UN Office of the High Commissioner for Human Rights put Sjamsoeddin in a group of several dozen high-ranking TNI officers and senior civilian officials that planned and coordinated the pro-integration militias and the violence surrounding the popular consultation. The report concluded that this group of planners bore criminal responsibility for crimes against humanity. It identified Sjamsoeddin as bearing both individual and command responsibility for crimes against humanity. Sjamsoeddin was ranked second on a list of officials recommended for criminal investigation, behind Zacky Anwar. The report was written by a UN officer present in Timor-Leste throughout the second half of ¶1999. The United Nations Serious Crimes Unit investigated Sjamsoeddin but did not indict him.

¶11. Sjamsoeddin visited a Falintil base on August 27. General Wiranto named him Chief Liaison Officer to UNAMET on August 31. He returned to Dili no later than September 1. Contemporary reports indicate Sjamsoeddin and Zacky Anwar held an extended meeting on September 1 finalizing contingency plans in the event that the results of the popular consultation rejected special autonomy in favor of independence.

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¶12. Eyewitness testimony puts Sjamsoeddin at the residence of Bishop Belo, a Nobel Peace Laureate, on September 6. TNI, Brimob and militia groups attacked and burned the Bishop's residence in an effort to forcibly evict several thousand refugees from the compound. At least one refugee was killed and more than a dozen injured. The eyewitness, who knew Sjamsoeddin personally, maintains that Sjamsoeddin, in civilian dress, directed the operation from the road outside the compound.

¶13. COMMENT: The near total absence of formal convictions makes assigning blame for the atrocities committed in Timor-Leste during the Indonesian occupation an interpretative matter. The facts as described above lead us to conclude that Sjamsoeddin held senior positions of command responsibility in both 1991 and 1999, moments when atrocities undeniably occurred, and strongly indicate his personal culpability. END COMMENT.
KLEMM