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CONFIDENTIAL

Viewing cable 09JAKARTA1584, TIMOR-LESTE -- INDONESIAN VIEWS ON RELEASE OF

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Reference ID	Created	Released	Classification	Origin
09JAKARTA1584	2009-09-23 07:07	2011-08-30 01:44	CONFIDENTIAL	Embass

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C O N F I D E N T I A L JAKARTA 001584

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP
NSC FOR D. WALTON

E.O. 12958: DECL: 09/24/2019
TAGS: PREL PGOV ID TT
SUBJECT: TIMOR-LESTE -- INDONESIAN VIEWS ON RELEASE OF
EX-MILITIA LEADER

REF: A. STATE 97454
B. DILI 254 AND PREVIOUS
C. JAKARTA POL - EAP/MTS+DILI 09-05-2009 EMAIL

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

¶1. (C) SUMMARY: Mission has reviewed with GOI contacts reftel points related to the recent release from detention by authorities in Timor-Leste of former militia leader Martenus Bere. GOI contacts confirmed that they are working with the GOTL to ensure the return of Bere--who is now in the custody of the Indonesian Embassy in Dili--to Indonesia. They were adamant that Bere should not undergo any sort of legal process in Timor-Leste, asserting that that would be contrary to the reconciliation efforts taken by the two countries. While acknowledging that the issues involved are difficult for Indonesia, Pol/C reiterated that the GOI's actions in this matter placed Indonesia in a negative light. END SUMMARY.

MAKING POINTS TO GOI

¶2. (C) Mission has reviewed reftel points re the Martenus Bere situation with GOI contacts. (Note: Bere, a former militia leader indicted by the UN for crimes against humanity, was released by GOTL authorities into the custody of the Indonesian Embassy in Dili on August 30.) Pol/C reviewed points with GOI contacts in the Department of Foreign Affairs, the President's Office, and the Coordinating Ministry for Political, Legal and Social Affairs. Per reftel, Pol/C noted that the GOTL action of releasing Bere came after apparent intense pressure was exerted by the GOI. The USG, Pol/C stressed, strongly believed that Bere should be held accountable in Timor-Leste for the indictment issued by the UN Serious Crimes Unit. Indonesia should uphold the rule of law and the principle of accountability for crimes against humanity.

GOI REACTION

¶3. (C) GOI interlocutors took the points on board. In representative remarks, Lt. Gen. (ret'd) Agus Widjojo, a

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close aide to President Yudhoyono with experience on East Timor issues, was unapologetic, stating to Pol/C on September 20 that: "We were very surprised that Bere was arrested in the first place and held by authorities there. The conflict is over and reconciliation is moving forward and we don't think such actions help that process." Widjojo, one of the drafters of the Indonesia-Timor-Leste Commission of Truth and Friendship (CTF) Report issued in 2008, commented that he thought that the CTF Report and "the reconciliation effort that flowed from that" meant that the two countries would coordinate on matters "in the interests of the present" and "not dwell on the past"

¶4. (C) GOI contacts indicated that Bere might face some sort of legal consequences in Indonesia if he is returned there. That said, they were very vague on that point. Astari Daenuwy of the President's Office told Pol/C on September 19 that the Indonesian government knew that "Bere had done some bad things" and that the GOI itself had named him as a suspect for crimes committed in East Timor. Daenuwy added that Indonesia was "committed to looking into allegations of atrocities and Bere would be held accountable if indeed guilty of such." In any case, Daenuwy added, Indonesia wanted good relations with Timor-Leste, and hoped that the current situation would soon stabilize and the two countries could again focus on what was needed for reconciliation.

A DIFFICULT ISSUE FOR INDONESIA

¶5. (C) This case is a difficult one for Indonesia. Indonesians are not proud of what happened in then-East Timor, but they do not think their nationals should be charged with war crimes. Overall, they want to move beyond the past and get a reconciliation process on track. That said, the Bere matter seems to them to have been an affront to their national pride. At the same time, they want a stable neighbor and realize that their recent actions have roiled the political situation in Dili. Given all the conflicting factors, Indonesians at this point seem to be taking a more moderate, conciliatory tack--with the understanding that Bere will be returned to Indonesia.

HUME