



Coming to an Alcohol Control Policy for Timor-Leste

Mahein's Voice No. 145, February 28, 2020



Foto : WHO Timor-Leste

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Website: www.fundasaunmahein.org
2020



Table of Contents

Table of Contents	2
Introduction	3
Methodology	4
Context	4
Concerns over the Proposed Policy Framework	6
Recommendations	9
Bibliography	10



Introduction

Timor-Leste currently holds the World Health Organization (WHO) distinction for having the least restrictive environment for alcohol in all of Southeast Asia.¹ There is no minimum purchasing age for alcohol and almost no sales restrictions;² companies and vendors remain similarly unrestrained by limits on advertisements.³ Moreover, the majority of alcohol production and sales in Timor-Leste is of *tua mutin* and *tua sabu*, or home-brewed palm brandy, an industry that supports entire families and communities but is nonetheless entirely unregulated.⁴ Beyond the lack of regulations or official sanctions on alcohol misuse, drinking is highly ingrained in Timorese society, with alcohol playing a central role in cultural ceremonies and social events.⁵

The nexus of the lack of alcohol regulation and social pressure to drink, sometimes to excess, can be disastrous. Beyond the tragedies of drunk driving and alcohol poisoning, the Timorese public has been expressing growing alarm at the apparent link between violence and alcohol misuse: both the flagrant instances of violence (some of which is linked to martial arts groups) around the heavy drinking of national holidays, and the soaring rates of alcohol-linked domestic violence.⁶

In light of this, Fundasaun Mahein has previously called for the creation of an alcohol control policy.⁷ While FM is pleased that the Ministry of Health, along with the WHO Regional Office for South-East Asia, has taken steps to introduce a policy, the proposed document nonetheless presents some serious concerns. Although the policy draft was formulated by experts in the fields of public health, medicine, and alcohol policy, none of the authors appear to have a strong background in the Timorese context or are Timorese nationals, and the policy was written after only six days spent in Timor-Leste. The document thus presents a serious disconnect between the proposed measures and the cultural and social context that it is meant to regulate.

¹ World Health Organization, Regional Office for South-East Asia. (2019). *Making South-East Asia SAFER from alcohol-related harm: Current status and way forward*. New Delhi: World Health Organization, Regional Office for South-East Asia

² Ibid

³ Ibid

⁴ Weymes, M., & IRIN. (2012, August 1). *Alcohol-Fueled Violence a Growing Concern*. Retrieved from The New Humanitarian: <http://www.thenewhumanitarian.org/report/95997/timor-leste-alcohol-fuelled-violence-growing-concern>

⁵ Early Warning and Early Response. (2010). *Policy Brief: Alcohol and its Links to Conflict*. Dili, Timor-Leste: BELUN

⁶ National Statistics Directorate Ministry of Finance; IFC Macro. (2010). *Timor-Leste Demographic and Health Survey 2009-10*. Dili, Timor-Leste: National Statistics Directorate of the Ministry of Finance

⁷ Fundasaun Mahein. (2019, December 12). *Alcohol Control and Celebrating without Fear*. Retrieved from Fundasaun Mahein: <https://www.fundasaunmahein.org/2019/12/02/alcohol-control-and-celebrating-without-fear/>



Methodology

This report's analysis was based on several factors. First, FM staff participated in a November 26th, 2019 workshop organized by the Department of Health and the WHO, which sought to present and solicit feedback on the proposed alcohol control policy. In addition, FM interviewed health professionals, government officials, civil society leaders, and members of the public. We also monitored incidents of alcohol-related violence, particularly around major national holidays, and conducted research into the effects of alcohol misuse, as well as the policies and experiences with alcohol control in various nations around the world.

Context

Writing a policy on alcohol control in a country where it is estimated that between over 50% to just under 80% of the liquor consumed is unlicensed and home-brewed is, to say the least, a challenge. Nonetheless, with Timor-Leste identified by the WHO as having the least restrictive alcohol environment in all of Southeast Asia (and with what laws that are in place enforced only irregularly),⁸ FM believes that it is crucial to public security in Timor-Leste that there be a comprehensive policy for alcohol control.

The necessity of this has become apparent in recent months, with increasing reports of alcohol-fueled violence—particularly around national holidays, when alcohol consumption is ubiquitous and, at times, excessive. November 2019's *Loron Matebian*, or All Souls' Day, in particular saw several reports of violent confrontation between groups in Baucau and Maliana. However, the dangers of alcohol go beyond the holidays: beyond the concerns of drunk driving, alcohol poisoning, and chronic diseases linked with excessive and prolonged alcohol use (including mental illness, cirrhosis, and increased risk of cancer⁹), the 2010 Demographic and Health Survey also linked high rates of alcohol use to domestic violence.¹⁰ Of those women who reported that their husbands get drunk "very often," 60% also reported violence, as did 45.1% of those who said that their husbands get drunk "sometimes."¹¹ This is further aggravated by Timor-Leste's status as a post-conflict nation, with many citizens turning to alcohol to self-medicate for trauma.¹²

Adding to this is the important and highly regarded role that alcohol plays in Timorese society, with its consumption integral to many cultural ceremonies. It is also ubiquitous in

⁸ Weymes & IRIN, 2012

⁹ Waleewong, O., Kypri, K., Dorji, G., Chaiyasong, S., & Talek, M. (2019). *Recommendations for Timor-Leste: National Alcohol Control Policy Framework*. Dili: Ministry of Health, Democratic Republic of Timor-Leste; WHO Regional Office for South-East Asia.

¹⁰ National Statistics Directorate Ministry of Finance; IFC Macro, 2010

¹¹ Ibid

¹² Koesoemawiria, E. (2012, April 10). Timor-Leste: Post-Traumatic Stress. Retrieved from Development and Cooperation: <https://www.dandc.eu/en/article/timor-lestes-independence-indonesia-caused-lasting-pain>



social settings (particularly in celebrations such as weddings) and major holidays.¹³ This means that many Timorese youth, particularly boys, are introduced to drinking from a young age; a 2010 report by the civil society organization BELUN found that, among some communities, alcohol consumption serves as a rite of passage.¹⁴ Indeed, half of all current drinkers in Timor-Leste started drinking before turning eighteen.¹⁵

This being said, it is of some comfort that Timor still does not have the same proportion of young drinkers as other countries in the region: with 12.9% of Timorese fifteen- to nineteen-year-olds drinking, this is sharply down from 69.3% in Australia, 45.5% in Japan, 27.3% in Thailand, and even 13.1% in Indonesia.¹⁶ Dr. Daniel Murphy, of the Bairo Pite Clinic, also noted that he has seen relatively few cases of alcohol-related illnesses, due in part to young people lacking the money to engage in regular bouts of heavy drinking.¹⁷ The difference, however, is that between Timor-Leste's poverty and the consistently single-digit government spending on healthcare,¹⁸ those Timorese who are affected by alcohol (young and old), are left without the medical resources of citizens of wealthier nations, be it for traumatic injury cases, psychological services, or alcohol dependence treatment and brief intervention programs, which the WHO found to be nonexistent in Timor-Leste.¹⁹

All of this points to the need for a national alcohol control policy, especially in light of increasing concerns that the persistent youth unemployment that is fueling the rise of martial arts groups (MAGs) in the country,²⁰ which may also lead to a rise in alcohol abuse among young people. However, such a policy would need to balance alcohol misuse prevention with an appreciation of the very real role that alcohol production plays in Timor-Leste's economy, the destruction of which presents its own public health risks. Especially as the majority of Timorese brewing and consumption is of unlicensed *tua mutin* and *tua sabu* palm brandy, alcohol production is a vital source of income for families and communities, many of whom are rural and do not have access to substitute sources of income. Even at the industrial level, alcohol brewing presents one of the very few alternatives to the country's dependence on oil.²¹ Heineken's production plant in Hera is one of Timor-Leste's only large-scale manufacturing operations; and while the twenty-year

¹³ Early Warning and Early Response, 2010

¹⁴ Ibid

¹⁵ Waleewong, Kypri, Dorji, Chaiyasong, & Talek, 2019

¹⁶ World Health Organization. (2018). *Global Status Report on Alcohol and Health 2018*. Geneva: World Health Organization

¹⁷ Murphy, D. (2019, November 20). Alcohol and Health in Bairo Pite Clinic. (Jordan Lee Borgman, Fundasaun Mahein, Interviewer)

¹⁸ La'o Hamutuk. (2020, January 28). *2020 General State Budget*. Retrieved from La'o Hamutuk: <http://laohamutuk.org/econ/OGE20/19OGE20.htm#sib>

¹⁹ World Health Organization, 2018, SAFER

²⁰ Fundasaun Mahein. (2019, July 15). *A Resurgence in Violence between Banned Martial Arts Groups*. Retrieved from Fundasaun Mahein: <https://www.fundasaunmahein.org/2019/07/15/a-resurgence-in-violence-between-banned-martial-arts-groups/>

²¹ Lopes, A. D. (2019, November 20). Alcohol Control in Timor-Leste. (Jordan Lee Borgman, Fundasaun Mahein, Interviewer)



tax hiatus that lured the company to build in Timor may be at odds with alcohol control, it makes a great deal of sense in an economy that is desperate to diversify.²²

Such are the competing demands that must all be addressed if an alcohol control policy is to be successful in Timor-Leste. On top of this, any policy must be written with a deep understanding appreciation for the Timorese culture and the Timorese context, in order to both effectively identify and address the country's unique problem areas and opportunities.

In light of this, FM applauds the Ministry of Health for taking the need for an alcohol control policy seriously, and for its swift action in working with the WHO Regional Office for South-East Asia to produce a draft for a policy framework. However, the document—“Recommendations for the Timor-Leste National Alcohol Control Policy Framework”—submitted on September 25th, 2019, raised several alarms for FM. At its core, the draft is intelligent, well meaning, thoughtful, and risks being irrelevant to Timor-Leste. While not malicious, this speaks to a reliance on global expert opinions without taking into account local contexts: in the production of this document, only six days were spent in-country.

Concerns Over the Proposed Policy Framework

The draft policy framework covers ten components: advertising; young people; restrictions on availability; pricing; drinking in the public sphere; regulating commercially-produced products; public health impacts of informally-produced products; drink-driving; and the health system response.²³ All of these are worthy concerns, but nonetheless, FM believes that the draft policy is culturally and practically out of step with the country that it is meant to be addressing.

While *tua sabu* and *tua mutin* make up the majority of alcohol consumed in Timor-Leste, for instance, their mention reads like auxiliary sentences shoehorned into an existing policy. FM was pleased to see that one of the ten policy components does focus on informally produced alcohol, although of all the sections it is the least substantive²⁴ (this may be blamed, in part, to a lack of available data, an issue that FM has previously highlighted²⁵). The most intrinsic type of drinking in Timor-Leste is treated largely as an addendum.

That is not to say that all the policies proposed are unnecessary or even unsuitable. Advertising bans (Section 3.1) exist largely separate from the cottage industry of home-brewed *tua*, but might still be effective in discouraging alcohol consumption by young people who may otherwise conflate drinking branded alcohol with socioeconomic mobility. Tax hikes may also be very appropriate, especially as the document notes that “Evidence

²² Ibid

²³ Waleewong, Kypri, Dorji, Chaiyasong, & Talek, 2019

²⁴ Ibid

²⁵ Fundasaun Mahein, 2019. Alcohol



indicates that raising the alcohol price by 10% would reduce alcohol consumption by around 5%.” Even this, however, throws into sharp relief other issues that must also be taken into account. For instance, with alcohol currently bootlegged fairly liberally across the border with Indonesia,²⁶ would an increase in taxes on regulated liquor simply increase this smuggling, potentially opening the door for trafficking in drugs and humans in the process? What of *tua mutin* and *tua sabu*? Moreover, with alcohol manufacturing representing one of the few alternatives in our oil-dependent economy, would taxes discouraging transnational investment in the alcohol industry further hamper diversification?

If even taxes on regulated beverages can present such complications, the ubiquitous unknown of *tua mutin* and *tua sabu* offers and even more complex challenge for policy. After all, how can home-brewed *tua* be regulated to not only protect consumers, but to protect producers? For all its potential dangers, *tua sabu* and *tua mutin* are products that support entire families²⁷—and in an era of climbing unemployment, this is not insignificant. As the source of the majority of alcohol consumption in Timor-Leste and a weighty cottage industry, the regulation of home-brewed *tua* should be the central question of alcohol control in Timor-Leste; in the draft policy framework, however, it is barely addressed. As Ministry of Commerce official Antunes Domingos Lopes said, in speaking to FM, regulations could potentially help home-brewed *tua* producers by creating and streamlining production techniques, standards, and distribution.²⁸ For this to happen, however, FM believes that it must be built into policy, not simply added to it.

The questions of poverty, work, and desperation layer even those recommendations that would likely lead to a net good in public health. For instance, Section 3.3 suggests guidelines on restricting alcohol availability, particularly trading hours—repercussions that will perhaps be felt not only by consumers, but by small-scale kiosk owners. There is a valid argument to be made that the positives of these prohibitions far outweighs their other potential impacts, such as the potentially dire economic implications for *loja* owners. Nonetheless, the pain likely to be felt by the owners of these small businesses is also entitled to consideration.

There are other lines of disconnect. In Section 3.5 (“Reducing and preventing the negative consequences of drinking and alcohol intoxication in the public sphere”), for example, there is a recommendation that “Consumption of alcohol shall not be permitted in mass gatherings.” “Mass gatherings” is a category that is highly ambiguous in the Timorese context, even among the concerts and festivals of Dili; in rural areas—which hold the bulk of Timor-Leste’s population—and the term is functionally meaningless. Timorese village households are generally porous spaces for family and neighbors, a norm that only intensifies with holidays and ceremonies as the entire village orbits through family

²⁶ Early Warning and Early Response, 2010

²⁷ Ibid

²⁸ Lopes, 2019



celebrations. Is this communal revelry a mass gathering, then, or is it separate festivities? It certainly has the look and feel of a mass gathering, but one made of individual household contributions. How, then, ought this to be understood and policed?

Of course, a policy framework draft might be forgiven for not attending to every detail: it is meant to serve primarily as a series of suggestions over definitions. Even so, the disconnect between the imagery in the document and the actual social structures in Timor-Leste give the policy framework means that it risks becoming irrelevant, with its more salient points and benefits lost in the process. Especially in a country with an inconsistent history of regulatory enforcement such as Timor-Leste, a policy clouded with culturally inappropriate terms threatens to even further reduce the chance of implementation—which is already one of Timor’s greatest challenges as it seeks to control alcohol.²⁹

While FM has repeatedly called for the creation of new government policy,³⁰ and while the introduction of new laws and standards is often greeted with great government and civil society enthusiasm, the ultimate success of these policies nonetheless lies in the quieter work of enforcement. FM’s concerns over raising taxes on legal goods arise because of the continued failure to detect illegal ones,³¹ and what few current alcohol regulations that exist in Timor-Leste still function more as theory than practice. Even when speaking of valuable regulations on nationwide sales of alcohol, FM wonders how trading hours are meant to be enforced at a rural *loja* when the government has yet to secure access to electricity, water, or quality healthcare and education for swathes of the country.

A lack of enforcement is arguably the fault of institutions, not policy makers. Still, Timor-Leste’s lawmakers have an obligation to create and pass policies that are a reflection of the lived experiences of their people and which address their most salient issues directly, and the current draft framework does not do this. This may be due, in part, to the fact that none of the five listed authors of the draft policy framework is Timorese, and that over the full course of drafting this policy, six days were spent in Timor-Leste.³² “Relevant stakeholders” were interviewed, but it is not clear to FM whom this entails. Were these stakeholders largely government officials, or were the authors able to speak in-depth with Timor-Leste residents from a wide range of socioeconomic and demographic backgrounds? Were they able to spend significant time in rural areas, where most of the Timorese population lives? It seems doubtful that this would have been possible in only six days. These authors are experts in public health and alcohol, who appear to have attempted their due diligence and presumably care deeply about the future of Timor-Leste. But from FM’s investigations, there is no indication that they are experts on Timor-Leste,

²⁹ Early Warning and Early Response, 2010

³⁰ Fundasaun Mahein, 2019. Alcohol

³¹ Fundasaun Mahein. (2019, July 19). *Drug Trafficking: Why Did Timor-Leste's Customs Authorities Not Detect Illicit Goods Crossing the Border?* Retrieved from Fundasaun Mahein: <https://www.fundasaunmahein.org/2019/07/19/drug-trafficking-why-did-timor-lestes-customs-authorities-not-detect-illicit-goods-crossing-the-border/>

³² Waleewong, Kypri, Dorji, Chaiyasong, & Talek, 2019



and so the document carries recommendations that are, at times, at odds with or irrelevant to the Timorese context.

FM believes that the international experts who drafted this policy capably performed the task that was given to them. Instead, FM questions why, when calling for this draft, was there an acceptance among Timor-Leste's leaders of the notion that a policy could be created almost entirely outside of the country it is intended to regulate, by writers who have not lived with the rhythms of our mountains and our sea, our ceremonies and our seasons, our griefs and our sacred spaces. This raises additional concerns that this is symptomatic of an increasing rupture between the lifestyle and experiences of our politicians and those they are mandated to govern.

This is not to say that international opinions and expertise is not valuable. On the contrary, writing a new alcohol control policy is an opportunity for Timor-Leste to look to the successes and failures of other nations as it charts its path forward, and even to solicit international advice. Doing so may even put Timor-Leste in a privileged position as it grows its corpus of laws, as it is able to benefit from the lessons of other countries' trials and errors. However, there is a difference between innovation on the experiences of others and a wholesale grafting of the laws and contexts of another land onto Timorese soil.

Recommendations

Alcohol presents a grave issue in Timor-Leste, one for which oversight and regulation is nearly nonexistent. While the seriousness with which this is taken by the Ministry of Health is an encouraging and positive development, the resulting policy framework, as currently drafted, stands to make its strongest impact on Timor-Leste's urban elite. Those for whom alcohol control might otherwise have the most positive impact—families shuddering under alcohol-infused domestic or gang violence, a drunk driving victim far away from lifesaving medical care, children initiated into early drinking through cultural ceremonies—will be the lightest touched. While FM sees this policy framework draft as being well-intentioned and benign, we believe that Timor-Leste can, and should, demand policy that rises above being mostly harmless.

To this end, FM calls for a redrafting of an alcohol control policy—one that may, indeed, involve international advisors and experts, without consisting entirely of them. But we must have a policy that is Timorese in its fabric, one that learns from the successes of other nations but is intrinsically geared towards Timor-Leste's unique situation and needs. The truth of our country cannot be relegated to afterthoughts within our own policies.



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