



Drug Threat Poses Challenge for Security Sector Institutions

Mahein's Voice. 74, April 7th 2014



This Fundasaun Mahein Voice report is supported by the people of America through the United State Agency for International Development (USAID) and the Finland Embassy in Jakarta

The views expressed in this publication do not necessarily represent the views of the United State Agency for International Development (USAID) or the Finland Embassy.



Website: www.fundasaunmahein.org

Contents

Introduction	3
Methodology	3
The Drug Invasion and Recruitment of Timorese	4
Drugs Invade Timor-Leste	4
Recruitment of Timorese	5
Challenges of Combating Drugs	7
Drug Trafficking not Regulated	7
Fragile Control Along the Border	8
Summary Recommendations	9
Bibliography	10

Introduction

A serious incident occurred in Dili near the end of 2013. A group called “KIBATA” (an organized criminal group) stabbed a youth in Markoni and wounded two other youths in Kampung Alor and Fatuhada. Fundasaun Mahein’s monitoring identified that the perpetrators drunk wine mixed with drugs and smoked marijuana before committing the attack.¹ However, police have not found any members of KIBATA to be responsible for drug trafficking.

Fundasaun Mahein (FM) believes that members of KIBATA were recruited by the “intellectual” leaders of organized crime, who want to involve youth in the drug trafficking operation to destroy their minds and hurt national stability. Drug is a synthesized substance that minimize people’s fears and changes their mentalities to consume the drug regularly.² As a result, drugs can make people happy in the short term but will make them suffer in the future.

During the year 2012, drugs entered Timor-Leste regularly, mobilized by the International Drugs Syndicate. Foreign citizens imported drugs across the official border. They were able to smuggle the drugs through the Nicolau Lobato Airport-Dili without detection, and were not captured until arriving in a hotel in Dili.³ These conditions make it too easy for drugs to invade Timor-Leste, and for Timorese to become involved in the growing drug trade as both distributors and users.

FM is strongly concerned about the International Syndicate’s smuggling of drugs into Timor-Leste. FM considers illegal drugs to be an international crime that will have a serious impact on the future of Timor-Leste, and will devastate youths’ life and influence them to become involved in organized crime, leading to instability that will threaten national security.

Methodology

The adopted methodology of this report comes from discussions among the research team of Fundasaun Mahein, which FM refers to as Security Sector Discussions-SSD. This report is the result of monitoring from 2009-2013 by gathering information and analyzing data from the previous reports on the drugs trafficking, as well as data from the national and international media.

The final point of this report is recommending to the government how to fight against drugs by drafting an anti-drug law, and to improve the functioning of security institutions to control drug smuggling through national and foreign networks.

¹ Fundasaun Mahein (03 October 2013). New Way of the Organized Crime Operation in Timor-Leste. Mahein’s Voice No. 60. pdf.

² tuir Lei Indonesia nian “Undang - Undang Republik Indonesia Nomor 22 Tahun 1997 Tentang Narkotika. <http://www.dinkesjatengprov.go.id/download/uu/Peraturan-Farmasi/UU-narkotika.pdf>

³ Fundasaun Mahein (13 February 2013). Border line Management and Migratory Controlling. Mahein’s thought No. 03. Mahein’s Voice No.03. pdf

The Drug Invasion and Recruitment of Timorese

1. Drugs Invade Timor-Leste

As mentioned in the first report from Fundasaun Mahein in 2010 about organized crime in Timor-Leste, in 2008 the PNTL monitored bars in Dili and detected that some bars, restaurants, discos, and tattoo studios were drug transaction locations. The majority of people who made these drug transactions were Indonesian citizens. They make money by selling drugs to young people at bars as well as some tattoo studios around Dili.

In 2009 and 2010, the PNTL and the Immigration Service conducted operations in bars and discos around Dili. The commander of the Criminal Investigation Service, superintendent Calisto Gonzaga, confirmed that the joint operation led to the capture of some foreign people who brought drugs of various types to Timor. He urged the court to further process the case. Prior to this case, police had captured two Indonesian citizens work in companies in Dili, both citizens were detected by the Criminal investigation service, which noted that they were drug distributors.⁴

The police have captured lots of foreigners in bars and discos around Dili, but drugs continue to enter Timor-Leste. On October 2012 the PNTL had captured four foreign citizens from Indonesia, as well as one African citizen who owned Mozambique passport; they imported drugs to Timor-Leste. These perpetrators brought drugs on a Silk Air flight from Singapore to Dili. The police captured them in a hotel in Dili.⁵

On 18 October 2012, the PNTL captured three Indonesian citizens with the initial “RS, S, and AT” at Hotel Central Dili, as well as an Indonesian citizen “MAR”. The authorities captured them with drugs called “sabu-sabu” in a bag on 19 October 2012. On the same day they captured well a citizen from South Africa at the Hotel Ventura after he suspiciously gave a bag to MAR.

Two days later, on 20 October 2012, the PNTL captured one more suspect at the Comoro Air-Port. The suspect put a bag of drugs in the Silk-Air luggage for a flight from Singapore to Dili. On 25 October 2012 a drug trafficker from South Africa flew from India to Timor-Leste, the day before the police deported back five drug suspects to Indonesia.⁶

⁴ Fundasaun Mahein (10 November 2010). Organized Crime in Timor-Leste. Mahein’s Voice No 14.pdf.

⁵ Tempo Semanal. (23 October 2012). Xanana Praised PNTL urged not to forgive Drugs Whether from Dili to Indo or Australia. <http://temposemanaltimor.blogspot.com/2012/10/xanana-hahi-pntl-husu-labele-perdua.html>

⁶ Jnx. (25 October 2012). Will hand over Kurir of Drug to Indonesia. <http://www.diariutimorpost.tl/berita-304-sei-intrega-kurir-droga-ba-indonezia.html>

The drug trafficking cases identified above indicate that Timor-Leste is in a drug trafficking emergency. FM has detected that the fragility of security along the border lines (land, maritime and air) is a weakness that may benefit organized crime, and particularly drug trafficking, which is strongly infiltrating Timor-Leste.⁷

2. Recruitment of Timorese

According to the FM's monitoring, drug smugglers have started recruiting Timorese for involvement in organized crime. People are frustrated with an unbalanced social and economic situation in Timor-Leste. As a result of these frustrations, youth are increasingly becoming involved in drug trafficking, and organized criminal groups are also trying to recruit them to carry out other criminal activities.

A serious incident took place on 24 September 2013. An organized group called KIBATA stabbed a youth to death in Markoni and wounded two other youths in the Kampu-Alor and Fatuhada areas. The perpetrators drank wine mixed with drugs and smoked marijuana.⁸ Perpetrator "J" was a boss of "OBRALAN" and his wife is an Indonesian. "J" is suspected of being a drug lord that has good relations with drug lords from Indonesia.

In another case, an unknown group tried to attack an American diplomat near the main gate of the American embassy in Praia dos Kokeirus-Dili. It is suspected that the perpetrators had consumed drugs. Events like are related to the larger economy,⁹ especially given the possibility that drug smugglers may have recruited the support of some PNTL and FDTL members.

Drug smuggling is a trans-national crime with an international network. It is a serious threat to youth and the societal development of Timor-Leste.¹⁰ There is not yet any detailed research about the level of drug trafficking in Timor-Leste, but it is clear that drug traffickers are present and have recruited some Timorese youth into their distribution network.

In another case, the PNTL arrested Juga Frans Xavier Gama (artist) in his house on 11 December 2012 with at least 200 grams of the drug (sabu-sabu), as well as money. Juga Gama

⁷ Fundasaun Mahein (13 February 2013). Border line Management and Migratory Controlling. Mahein's thought No. 03. Mahein's Voice No.03. pdf.

⁸ Fundasaun Mahein (03 October 2013). New Way of the Organized Crime Operation in Timor-Leste. Mahein's Voice No. 60. pdf.

⁹ Tempo Semanal. (23 October 2012). Xanana Praised PNTL urged not to forgive Drugs Whether from Dili to Indo or Australia. <http://temposemanaltimor.blogspot.com/2012/10/xanana-hahi-pntl-husu-labele-perdua.html>

¹⁰ JSMP – Timor-Leste (12 July 2013). Dili District Court Alleged 14 Years Sentences for Indonesia's Citizens over Drugs Crime. Press Release.pdf.

was convicted by the court and sent to prison.¹¹ However, on 3rd November 2013, Juga Gama escaped from Becora prison along with 24 other prisoners.¹² As of this report's publication, Juga Gama has not yet been re-captured and remains free.

Some Timorese drug users have formed relations with foreign people to import drugs through the network which has been established by drug bosses. Based on the chronology published by the Tempo Semanal Newspaper, suspect "JS" dealt drugs along with Singaporean and Australian citizens; they were captured by the PNTL on 8 January 2013. During the operation, the PNTL confiscated U\$180 along with drugs (sabu-sabu). After investigating "JS" the police captured Marito C "Picapau" with at least US \$645,000, a syringe, pipe, and around 6.5 grams of sabu-sabu in his residence in Santa Cruz-Dili.¹³

The cases mentioned above indicate that drug trafficking has become a serious problem. Although extensive research has not yet been conducted to investigate drug consumption among Timorese, FM is aware of 44 drug cases in 2013, 38 cases involved males and 6 involved females.¹⁴

The issue of drugs has caught the nation's attention because this problem has the potential to devastate the future of young Timorese. According to Monsignor Alberto Ricardo da Silva (Bishop of Diocese Dili), Timorese people need to work to ensure that people they know are not involved in drug trafficking, as drugs will devastate people's lives, especially the youth.¹⁵

Fundasaun Mahein feels that illegal drugs is becoming a national problem and believes that the war against drugs concerns the state and government.¹⁶ As stated by the former president Jose

¹¹ Soares, Timotio. (17 September 2013). Suspiciously Involved in Drug Transaction An Artist of TL Juga Gama, Threaten to be Sentenced 14 Years. <http://suara-timor-lorosae.com/deskonfia-involve-transaksaun-dorga-artista-tl-juga-gama-amesa-kastigutinan-14/>

¹² Da Costa, Joana. (04 November 2013). Prisoners of Becora Revolted 24 escaped, a prisoner serious wounded. Independenti Newspaper, Archive of Fundasaun Mahein 2013.

¹³ Tempo Semanal. (27 January 2013). Boss of Drugs in Santa Cruz Went to prison. <http://temposemanal.com/justisa/item/38-bandar-droga-ih-santa-cruz-tama-prizaun>

¹⁴ Claudio. (27 June 2013). 44 Youths Utilize Drug. <http://timoroman.com/joven-44-utiliza-droga/>

¹⁵ Gusmão Timotio & Sanches Tomas. (05 August 2013). Alberto asked Timorese not to involve in Drugs. <http://suara-timor-lorosae.com/d-alberto-husu-timor-oan-labele-involve-aan-ih-droga/>

¹⁶ Fundasaun Mahein. (20 December 2012). Military Fought Against Drugs: "Lesson From Mexico". <http://www.fundasaunmahein.org/2012/12/20/the-military-and-the-war-on-drugs-%E2%80%9Clessons-from-mexico%E2%80%9D/>

Ramos Horta, Timor-Leste will not tolerate foreign people who import drugs to Timor-Leste with the purpose of harming the lives of Timorese citizens.¹⁷

A member of National Parliament, Estanislau da Silva, said drugs are a national problem and that the government should find a concrete mechanism to control the import of illegal drugs coming into Timor-Leste.¹⁸ According to the president of the CNJTL, Leovigildo Hornai, Timor needs maximum security along the maritime and land border areas. In addition, we need an anti-drugs law to use as a legal instrument that will reinforce the legitimate power of the state institution to combat drugs in Timor-Leste.¹⁹

Challenges of Combating Drugs

1. Drug Trafficking not Regulated

Although the PNTL has worked hard thus far to capture people who are doing drug activities in Timor-Leste, and have detained some drug dealers, combating drugs continues to be a problem for Timor-Leste. According to Fundasaun Mahein's observations, drugs has become a national issue, but there is still not yet a law to regulate this illegal trade. In many drug trafficking cases, laws from other countries are still used to process criminals?

The Dili court sentenced two drug traffickers to prison time. Edi Prasetyo was sentenced 14 years and Hanny Haryawan for 8 years. The public ministry alleged these suspects to be the primary perpetrators in a criminal drug case, violating article 81 of Indonesian's anti-narcotics law No. 22/1997.²⁰

The Dili court convicted Juga Gama for 10 years and fined him for judicial costs of US\$50.00. Suspect Desi Alex Lenko was sentenced to 8 years and fined for judicial costs of US\$50.00, Sri Darmayanti for 6 years and 6 months with judicial costs of \$50.00, Dionisio Fransisco da Silva condemned with the penalty of 7 years 6 months with judicial costs of \$30.00 and the suspect Anastacio Pereira Soriano to 6 years and 6 months with the judicial costs of \$30.00. The court

¹⁷ Bdy. (03 March 2010). Drug Threat Youths in TL. Diariu Nasional Newspaper. Archive of FM 2010.

¹⁸ Sequeira, Jacinta. (05 August 2013). PN urged the Government to find Mechanism to contrl Drug's importing. <http://suara-timor-lorosae.com/pn-husu-governu-hola-medidas-kontrola-importasaun-droga/>

¹⁹ Gusmão, Timotio. (28 August 2013). TL becomes Transit Station for the Transaction Drugs, need strong Control at Port-Border line. <http://suara-timor-lorosae.com/tl-sai-terminal-tranzitu-ba-transaksaun-droga-presiza-kontrola-makas-ihha-protu-fronteira/>

²⁰ JSMP – Timor-Leste (12 July 2013). Dili District Court Alleged 14 Years Sentences for Indonesia's Citizens over Drugs Crime. Press Release.pdf.

convicted these suspects based on Indonesia's law No. 22/1997 regarding narcotics, particularly article 81 (a) and 82 (a).²¹

Therefore, Timor-Leste should draft a specific anti-narcotics law in order to give legitimize the war on drugs in Timor-Leste. According to the vice president of the CNJTL, Maria Didi Magno, to combat drug trafficking in Timor-Leste, the state and government needs to create a comprehensive law to fight drugs.²² The director of the Department of Legislative policy (NDJAL- National Directorate of Juridical Assessor and Legislation) Honorio Mangalhães, said that a law to combat drugs is really needed in order to regulate drugs activities in Timor-Leste; he said such a law will save generations of Timorese from drug trafficking.²³

Fundasaun Mahein believes that the creation of an anti-drug law is crucial to regulating drug trafficking in Timor-Leste. Drug smugglers have recruited youth to join organized crime network and smuggle drugs that are not well-regulated. Although this situation threatens the national stability, a law to combat drug trafficking and the consumption of illegal drugs, which was created by the DNAFL in 2013, has not yet been approved. At the round table discussion held on the 17, 20 and 24 of June 2013 at the Juridical Training Center Caicoli-Dili, the DNAJTL introduced the draft of the law to combat drug trafficking and said it would be finalized in 2013 for presentation to the Council of Ministers for approval before being sent to the National Parliament for approval.²⁴

2. Fragile Control along the Border

The weak security along the border line area of Timor-Leste invites organize crime. In particular drugs traffickers exploit the opportunity to illegally cross the border to smuggle drugs into Timor-Leste. International drug traffickers enter Timor-Leste through airport, land border, and the maritime border.²⁵

These cases show that organized crime groups import drugs and make illegal transactions in between Atauro and Dili. They use through the fishing network cooperation and they met each

²¹ JSMP – Timor-Leste (12 July 2013). The Court alleged 7 suspects over drug crime case for 1 year to 10 sentences. Press Release .pdf.

²² Gusmão, Timotio. (19 July 2013). Combating Drug in TL, The Government needs to create a Rigorous Law. <http://suara-timor-lorosae.com/kombate-droga-tl-governu-presija-kria-lei-regiroju/>

²³ Florindo – DNAJL (24 June 2013). A Legislator Team of Timorese DNAJL Introduced and Discussed the Project Law over the Execution Penalty of Human Trafficking and Drugs. <http://www.mj.gov.tl/?q=node/374>

²⁴ Florindo – DNAJL (24 June 2013). A Legislator Team of Timorese DNAJL Introduced and Discussed the Project Law over the Execution Penalty of Human Trafficking and Drugs. <http://www.mj.gov.tl/?q=node/374>

²⁵ Fundasaun Mahein. (20 December 2012). Military Fought Against Drugs: “Lesson From Mexico”. <http://www.fundasaunmahein.org/2012/12/20/the-military-and-the-war-on-drugs-%E2%80%9Clessons-from-mexico%E2%80%9D/>

other at night.²⁶ In other cases drugs are smuggled illegally across the border of Timor-Leste and Indonesia. These are coordinated operations between Timorese drug addicts in Kupang and Atambua together with Indonesians, who work together to distribute drugs to Timor-Leste.²⁷

As in some of the cases mentioned previously, International syndicates smuggle drugs through Silk Air from Singapore to Dili. However, the security authorities at the airport did not detect the drugs, and the smugglers were not arrested until arriving in a hotel in Dili.²⁸

Even worse is the fact that Indonesia considers Timor-Leste to be a drug transit country to Indonesia through the border district of Belu-Indonesia. The head of the National Narcotic Republic Indonesia, (BNN) province of NTT (Nusa Tenggara Timur), Aloysius Dando said that initiatives to combat drugs is not only the responsibility of the BNN but of many groups, including students and families who should have a strong commitment to fight against drugs, because the border area is a sensitive area where drugs pass easily.²⁹

Summary of Recommendations

1. Recommend to the Ministry of Justice to accelerate the drafting of legislation to combat drug trafficking and consuming illegal drugs, for approval by the council of ministers.
2. Recommend to the security authorities such as the UPF, PM, Migration Service, Taxes and quarantine to coordinate activities to combat drug smuggling into and out of Timor-Leste.

²⁶ Fundasaun Mahein (13 February 2013). Border line Management and Migratory Controlling. Mahein's thought No. 03. Mahein's Voice No.03. pdf.

²⁷ Tempo Semanal. (03 December 2010). Former Militia and TNI Import Drugs to TL. <http://temposemanaltimor.blogspot.com/2010/12/eis-milisia-ho-eis-tni-hatama-droga-mai.html>

²⁸ Fundasaun Mahein (13 February 2013). Border line Management and Migratory Controlling. Mahein's thought No. 03. Mahein's Voice No.03. pdf.

²⁹ Yon. (22 March 2014). Belu is the main way of Narcotic from RDTL. <http://kupang.tribunnews.com/2014/03/22/belu-jalur-utama-narkoba-dari-rdtl>

Bibliography

- Bdy. (03 March 2010). Drug Threat Youths in TL. Diariu Nasional Newspaper. Archive of FM 2010.
- Claudio. (27 June 2013). 44 Youths Utilize Drug. <http://timoroman.com/joven-44-utiliza-droga/>
- Constitution of the Republic Indonesia Number 22, 1997 Over Narcotic <http://www.dinkesjatengprov.go.id/download/uu/Peraturan-Farmasi/UU-narkotika.pdf>
- Da Costa, Joana. (04 November 2013). Prisoners of Becora Revolted 24 escaped, a prisoner serious wounded. Independenti Newspaper, Archive of Fundasaun Mahein 2013.
- Fundasaun Mahein (13 February 2013). Border line Management and Migratory Controlling. Mahein's thought No. 03. Mahein's Voice No.03. pdf.
- Florindo – DNAJL (24 June 2013). A Legislator Team of Timorese DNAJL Introduced and Discussed the Project Law over the Execution Penalty of Human Trafficking and Drugs. <http://www.mj.gov.tl/?q=node/374>
- Fundasaun Mahein (03 October 2013). New Way of the Organized Crime Operation in Timor-Leste. Mahein's Voice No. 60. pdf.
- Fundasaun Mahein. (20 December 2012). Military Fought Against Drugs: "Lesson From Mexico". <http://www.fundasaunmahein.org/2012/12/20/the-military-and-the-war-on-drugs-%E2%80%9Clessons-from-mexico%E2%80%9D/>
- Fundasaun Mahein (10 November 2010). Organized Crime in Timor-Leste. Mahein's Voice No 14.pdf.
- Gusmão Timotio & Sanches Tomas. (05 August 2013). Alberto asked Timorese not to involve in Drugs. <http://suara-timor-lorosae.com/d-alberto-husu-timor-oan-labele-involve-aan-ihadroga/>
- Gusmão, Timotio. (19 July 2013). Combating Drug in TL, The Government needs to create a Rigorous Law. <http://suara-timor-lorosae.com/kombate-droga-tl-governu-presija-kria-leiregijou/>
- Gusmão, Timotio. (28 August 2013). TL becomes Transit Station for the Transaction Drugs, need strong Control at Port-Border line. <http://suara-timor-lorosae.com/tl-sai-terminal-tranzitu-ba-transaksaun-droga-presiza-kontrola-makas-ihaprotu-fronteira/>
- JSMP – Timor-Leste (12 July 2013). Dili District Court Alleged 14 Years Sentences for Indonesia's Citizens over Drugs Crime. Press Release.pdf.

- Jnx. (25 October 2012). Will hand over **Kurir** of Drug to Indonesia. <http://www.diariutimorpost.tl/berita-304-sei-intrega-kurir-droga-ba-indonezia.html>
- JSMP – Timor-Leste (12 July 2013). The Court alleged 7 suspects over drug crime case for 1 year to 10 sentences. Press Release .pdf.
- Sequeira, Jacinta. (05 August 2013). PN urged the Government to find Mechanism to contrl Drug's importing. <http://suara-timor-lorosae.com/pn-husu-governu-hola-medidas-kontrola-importasaun-droga/>
- Soares, Timotio. (17 September 2013). Suspiciously Involved in Drug Transaction An Artist of TL Juga Gama, Threaten to be Sentenced 14 Years. <http://suara-timor-lorosae.com/deskonfia-involve-transaksaun-dorga-artista-tl-juga-gama-amesa-kastigu-tinan-14/>
- Tempo Semanal. (27 January 2013). Boss of Drugs in Santa Cruz Went to prison. <http://temposemanal.com/justisa/item/38-bandar-droga-iha-santa-cruz-tama-prizaun>
- Tempo Semanal. (23 October 2012). Xanana Praised PNTL urged not to forgive Drugs Whether from Dili to Indo or Australia. <http://temposemanaltimor.blogspot.com/2012/10/xanana-hahi-pntl-husu-labele-perdua.html>
- Tempo Semanal. (03 December 2010). Former Militia and TNI Import Drugs to TL. <http://temposemanaltimor.blogspot.com/2010/12/eis-milisia-ho-eis-tni-hatama-droga-mai.html>