



## **On the Candidates and the Nomination Process for the PNTL General Command's Post**

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## Contents

<b>Contents</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
<b>Methodology</b>	<b>3</b>
<b>Experiences and the nomination of the PNTL general commander</b>	<b>4</b>
<b>Main Agenda for the New PNTL General Commander</b>	<b>6</b>
<b>Recommendations</b>	<b>7</b>
<b>Bibliography</b>	<b>8</b>



## Introduction

The nomination of Commander of the National Police of Timor-Leste (PNTL), Longuinos Monteiro, as interim minister of the sixth (VI) constitutional government,<sup>1</sup> has left a vacancy inside the PNTL's leadership. The search for a new candidate has not yet yielded results, despite the assistance of the second commander as interim leader of the organization, in keeping with the PNTL organic law.<sup>2</sup>

Recently, there has been much discussion in government and civil society over who is going to fill the post of the PNTL general commander. The general consensus seems to be that the new General Commander should come from within the PNTL institution.<sup>3</sup>

Looking to the past, after the crisis of 2006, the government decided to select an important figure from the republic general prosecutor's office to be the PNTL general commander. The decision was strongly protested by the national parliament and civil societies at the time. The decision also got a strong reaction from members of the PNTL because the selected figure is from civilian and without a police background.<sup>4</sup>

With this in mind, the general consensus seems to be that the PNTL general commander should come from within the PNTL, because there are lots of police officers in the institution with the capacity to lead, as well as the experience and training to assume the position.<sup>5</sup>

The purpose of this report is to examine eligible figures who could assume the post as the General Commander of the PNTL, and the duties faced by the new commander.

## Methodology

This report uses information gathered via previously published literature sourced from NGOs and national media, as well as official documents available on the government's portal, and previously published reports of Fundasaun Mahein (FM). The research was

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<sup>1</sup> Head of state receives a proposal from the Prime Minister, Rui Maria de Araújo, over the composition of the government. Available at: <http://presidenciarepublica.tl/xefe-estadu-simu-proposta-husi-primeiru-ministru-indijitadu-dr-rui-maria-de-araujo-kona-ba-kompozisaun-governu-nian/>. Access on 2<sup>nd</sup> March 2015.

<sup>2</sup> Decree Law No. 9/2009, on 18<sup>th</sup> February. Organic Law of the National Police of Timor-Leste (PNTL). Article 11) number 2).

<sup>3</sup> Jornal Independente, on 26<sup>th</sup> February 2015. Page 3

<sup>4</sup> Kla'ak Semanal Edisaun 43 (24<sup>th</sup> March 2009). Available at: <http://www.scribd.com/doc/1385006/6/Kla-ak-Semanal-Edisaun-43-24-Marsu-2009>. Access on 2 March 2015.

<sup>5</sup> Jornal Independente, on 26<sup>th</sup> February 2015. Page 3



compiled, a draft produced and then edited in an internal discussion process called the Security Sector Discussion (SSD).

### **Experience and the Nomination of the New PNTL General Commander**

As outlined in the previous edition of this report following after crisis of 2006, the selection process received strong criticism from politicians, civil society, and members of the PNTL themselves due to the nominated individual not coming from a police background.

A major issue cited by critics was the fact that the nominee had committed a crime in the past year before he is nominated for the PNTL General Commander and that there was no legal action taken against him.<sup>6</sup> The lack of prosecution was believed to be the result of political involvement. Many people were also confused with the role of the PNTL Supreme Council during the nomination process and the level of coordination with the Council of Ministers during the process.

After the election of PNTL General Commander Longuinhos as Minister of the Interior, the speculation began appearing on national media regarding who would be his successor as head of the PNTL. The selection process for the new commander is ongoing, and Interim Police Commissioner Afonso de Jesus has stated that the PNTL general command is prepared to meet with the supreme council to elect the candidate for the new general commander to be presented to the Interior Minister.<sup>7</sup>

The general discussion has been over what figure in the best fit for the post of PNTL General Commander, and whether the candidate is from the PNTL institution and who have capacity and experience.

President of the Committee B of the National Parliament, David Dias Ximenes, said that the new general commander of the PNTL should not be involved in crime, corruption, and mal-administration. He has also suggested that the elected figure come from a resistance background.<sup>8</sup>

The Interior Minister Longuinos Monteiro explains that the government will clearly identify all PNTL General Commander candidates, because the position represents an important political decision. Regarding this, the interim minister will propose candidates to the government and the decision from the Council of Ministers.<sup>9</sup>

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<sup>6</sup> Kla'ak Semanal Edisaun 43 (24<sup>th</sup> March 2009). Available at: <http://www.scribd.com/doc/13850066/Kla-ak-Semanal-Edisaun-43-24-Marsu-2009>. Access on 2 March 2015.

<sup>7</sup> Timor Post, on 3<sup>rd</sup> March 2015. Page 3

<sup>8</sup> Timor Post, on 27<sup>th</sup> February 2015. Page 1 and 23.

<sup>9</sup> Jornal Nasional Diario, on 20<sup>th</sup> February 2015. Page 14



A similar position was stated by the director of HAK association, Manuel Monteiro, as he said that an eligible figure who is going to undertake the PNTL General Commander post should come from within the PNTL institution itself, possess knowledge of the law, not be involved in crime, be open to discussion, maintain discipline, and be ready to develop the PNTL into a more professional institution.<sup>10</sup>

PNTL, now in its 15<sup>th</sup> year, FM believes has produced some academic experts, professionals, and experienced commanders. FM expects an important figure who possesses integrity and credibility to lead the institution.

Those opinions have been confirmed by the PNTL command, the Interior Minister, the National Parliament, and civil society. In order to get a credible figure in this selection process, the public's thoughts, as well as those of National Parliament Committee B should be taken into account when making the decision. Although such a process is not required PNTL organic law, it would certainly boost the legitimacy of the candidate in the eyes of the public.

Additionally, FM asked that a performance assessment process be undertaken to evaluate the performance of the candidates in service to the PNTL institution. The assessment needs to evaluate all candidates for the selection process as a fundamental base for whom to be selected as the PNTL General Commander. It is important to consider services made by members of the PNTL to the institution so far, and this can be used as a foundation to lead the institution to be more professional.

The main point that the PNTL Supreme Council and the Interior Minister need to consider in the selection process is the need to involve the commission of anti-corruption (CAC) and the Minister for the Public. Involving these two components can evaluate the candidate's track record in terms of corruption and other criminal cases.

According to the National Legal Framework's mandate and the PNTL Organic Law, the nomination for the PNTL general commander, is selected by the Council of Ministers according to the proposal of the responsible security minister after receiving suggestions from the Supreme Council of Police.<sup>11</sup>

As set out in article 13 of the PNTL Organic Law, the Supreme Police Council is given the responsibility of nominating the General Commander as well as the Chief Superintendent of Police.<sup>12</sup> FM believes that the PNTL Supreme Council will function well in order to raise the candidacy of a responsible minister, and there will be no

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<sup>10</sup> Jornal Independente, on 26<sup>th</sup> February 2015. Page 3

<sup>11</sup> Decree Law No. 9/2009, on 18<sup>th</sup> February. Organic Law of the National Police of Timor-Leste (PNTL). Article 10) number 1).

<sup>12</sup> Decree Law No. 9/2009, on 18<sup>th</sup> February. Organic Law of the National Police of Timor-Leste (PNTL). Article 13) number 5).part, a.



uncalled for political intervention for this initial process. Even later on the politicians will decide through the Council of Ministers.

FM believes PNTL has possessed sufficient human resources in leadership, but despite this, various obstacles inhibit the process of developing the PNTL institution. As FM has stated in previous reports, the institution of the PNTL is still young but is maturing in its responsibilities.<sup>13</sup>

### **Main Agenda for the New PNTL General Commander**

This agenda for the new commander would be centered on the PNTL Strategic Plan for 2014-2018. The previous PNTL General Commander approved this PNTL Strategic Plan in 2013 with the purpose of reforming and developing the PNTL, as well as realizing the consolidation of public order and community safety—corresponding with the obligations of the government of RDTL—and has laid out five strategic objectives in the PNTL Strategic Plan.<sup>14</sup> These objectives focus on legislation, organization, administration, discipline, operations, in order to maintain for security and tranquility that are essential for the political stability and socio-economy development of Timor-Leste.<sup>15</sup>

The 5 strategic objectives of the PNTL Strategic Plan 2014-2018 areas as follows.

1. *In legislation area is to increase skills of the police members by empowering the implementation of the PNTL organic law, personal statute, internal rules and norms of the organization within its framework.*
2. *To increase the capacity and professional skills of the PNTL members with training activities.*
3. *To develop the capacity of PNTL members to manage human resources, finances, logistics, and communications.*
4. *To develop the PNTL's capacity to ensure its members are disciplined and responsible.*
5. *To maintain public order necessary for political stability and development of Timor-Leste.*

FM believes that the main agenda will be realized when the PNTL has a strong leader familiar with the history of the PNTL and the difficulties faced by the force. The objectives of the PNTL Strategic Plan are based on the current situation, and are also the concern of the police members, civil society, as well as the public at large.

The new PNTL general commander must execute the PNTL Strategic Plan 2014-2018 as a responsibility to the PNTL, in order to stay on track for the PNTL plan for 2030; this

<sup>13</sup> FM congratulates PNTL: 13<sup>th</sup> years age is going well and mature in responsibilities. Available at: <http://www.fundasaunmahein.org/2013/03/26/fm-kongratula-pnti-hakat-ba-idade-xiii-hahu-la%E2%80%99o-ba-no-maduru-ih-a-knaar/>. Access on 2<sup>nd</sup> March 2015.

<sup>14</sup> PNTL strategic plan for 2014 – 2018. Page 10

<sup>15</sup> PNTL strategic plan for 2014 – 2018. Page 11



issue is being discussed by the Interior Minister in order to prepare for the PNTL plan of 2030.<sup>16</sup>

### **Recommendations**

1. FM recommends the Interior Minister be involved with KAK and the Minister for the Public in the selection process regarding the criminal records of any nominees.
2. FM recommends any candidate for the post PNTL General Commander who is nominated by the Council of Minister be required to declare his assets to the KAK.

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<sup>16</sup> Intervention of the secretary state of security, Francisco Guterres at a meeting with the development partnership *Timor-Leste Community Policing Programme* (TLCPP), *The Asia Foundation* (TAF) and USAID's support for the community police in Timor-Leste. At the migration service department hall, Vila Verde – Dili in 2014.



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Timor Post, on 3<sup>rd</sup> March 2015.

Timor Post, on 27<sup>th</sup> February 2015.