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Implementation of the VIP Philosophy within the PNTL “Civil Society Perspective”

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Photo: PNTL, 2015

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Introduction

The new organic law of the National Police of Timor-Leste (PNTL) was adopted in 2009 to reform police culture domestically and create a strategy and philosophy for the PNTL independent from the military, which though that point in time had been used as the blueprint for PNTL community policing characteristics, organization, discipline, instruction, and private statutes.¹

In 2014 the PNTL general command presented the PNTL Strategic Plan for 2014 through 2018. The plan has five strategic focuses: legislation, training, administration, discipline, and operation. In order to address each, the PNTL creates separate plans for strategy and specific priorities for each year of the plan.²

The Plan has adopted a model for community policing entitled VIP—Visibility, Involvement, and Professionalism. The visibility of the police makes the community feel secure, their involvement in the community allows community members to feel engaged and part of local security processes, and all police will act within strict guidelines of professionalism to uphold the national standards for the PNTL. In this way, the police will better be able to serve and address the needs of the people and local communities.³

The implementation of VIP does not break down in specific training for units, departments, services and particular section, but rather applies as an internal philosophy for the whole of the force in its interactions with communities across the country. 2014 marked the first year of VIP, and the general command published an update on the Plan in 2015⁴ regarding the first year's progress. However, this report did not discuss what objectives had been left incomplete in 2014, and did not address what facets of the 2014 plan had yet to be realized.

Implementation for the second year concluded at the end of 2015. Accordingly, the PNTL organized a national retreat in December 2015 in Dili, involving the municipality's commanders, units, departments and sections to review the implementation of VIP over the prior two years as it pertains to the PNTL Strategic Plan for 2014 to 2018.

The PNTL General Command also invited Fundasaun Mahein to the retreat to share the NGO's perspective on VIP implementation within the PNTL institution. This report is the result of that meeting.

Methodology

After conducting a literature review on all prior research and reporting on the matter, with particular consultation of official documents on legislation, strategic plans, government policy

¹ Decree law No. 09/2009, February 18th. Organic law of the PNTL. Article 1 and 2.

² PNTL Strategic Plan 2014 -2018.

³ As described in footnote 2.

⁴ Report of 2014 for the progress of the PNTL strategic plan (2014-2018). Available at: <https://www.pntl.tl/wp-content/uploads/2015/07/Relatoriu-Progressu-Planu-Estratejiku-PNTL-2014.pdf>. Access on November 20 2015.

and other relevant reports, the research team conducted interviews with a variety of entities from the national and municipal level, including the president of the District Directorate Council (KDD/M), PNTL municipality commanders, post administrators, PNTL station commanders, PNTL members, village chiefs and members of the chief council from 10 villages that have implemented KPK, KPK members, OPS, veterans, and religious representatives and youths from Ainaro, Baucau, and Lautem. Total participants from these three municipalities totalled 254 individuals (185 males and 69 females).

FM's primary program activity is the implementation of Community Management Meetings (CMMs). In the time period of this report, CMMs were conducted in three municipalities (Baucau, Ainaro, and Lautem) from September to December 2015. The purpose of the CMMs was to assess the security process in each municipality as well as the standards of VIP implementation in policing in the districts.

After the conclusion of the CMMs, further information-gathering discussions continued with PNTL superiors during the national retreat in December 2015. FM delivered a presentation on the second day of the retreat, 11 December, at the police training center (CFP) in Comoro, Dili.

Finally, the research preparations were concluded with a Fundasaun Mahein Security Sector Discussion among the FM research team.

PNTL Policing Patterns

The 2009 Organic Law of the PNTL established the strategy and philosophy of the PNTL so as to move the PNTL away from the standards of the military.^{5,6}

Who undertakes community policing? The community policing philosophy applies to every member of PNTL, as community policing does not refer to an particular unit, department, service, or specific section inside the PNTL, but rather to the PNTL's approach to its responsibilities to people.⁷ During FM's meetings and consultation, different concerns and interpretations were raised by PNTL officers on community policing.

All actions and approaches of the PNTL on an institution-wide level are defined by the VIP philosophy outlined in the 2009 organic law.⁸ In the scope of VIP, the objective of the police is to serve as a partner of the community, so as to allow the community to feel a crucial part of local security processes, and to open up policing procedures and strategy to the scrutiny and approval of the public.

⁵ Decree law No. 09/2009, February 18th. Organic law of the PNTL. Article 1 and 2.

⁶ PNTL Strategic Plan 2014 -2018.

⁷ As described in footnote 6.

⁸ Actions do not refer only to cases that attended by the PNTL from people in terms if hit or beat but refers to all services that were provided to people from members of the PNTL.

Progress in VIP Implementation

1. Visibility

During an FM meeting held for local citizens to reflect on the visibility and presence of police recently, participants expressed that police presence has seen a marked improvement over the past two years. FM also observed that participants believed that this increase and policing actions in general over the past two years have been effective in providing local security for communities.

Deployment of OPS to 442 villages across Timor-Leste has been completed, as per the objectives set out by the PNTL general command, but local leaders and OPS have claimed that many OPS across the country have been forced to work across two or three villages at a time, and reinforce local police stations due to a shortage of deployed OPS across all villages in the country. In situations in which the OPS' duties extend over multiple villages, much of the policing presence depends on contact and communication with village chiefs and local community leaders. Even with effective communication channels, though, there have been a number of instances recorded in which the breadth of one officer's territory results in a late police response to a crime or local conflict.

Despite this common criticism, many participants in FM's meetings and consultations have expressed the belief that the OPS' placements and presence has had a significant impact in crime reduction in the field. OPS involvement in local communities has been reported to have an important role in resolution of land and property disputes—OPS serve with local leaders as impartial mediators to negotiate conflicts in a just and legal manner.

In addition, the number of crimes reported and cases brought to the police increased from 2014 to 2015, indicating a larger trust of the community in the police as an effective and capable local security resource.

In conjunction with OPS placement in villages across the country, participants in FM meetings encouraged the establishment of further legislation on prevention of domestic violence and violent conflict over land and property disputes, sharing information on traffic laws, and sharing information on security concerns such as drug trafficking and human trafficking. Participants also encouraged engaged civic education in villages and schools on the citizen's role in the security process.

Community and local leaders further claimed that police patrols of their communities had been more frequent in Dili than in the municipalities, due to higher concentration of PNTL in Dili. The Special Police Unit (UEP), including the Public Order Battalion (BOP) keep high numbers in Dili. Numbers in the districts vary due to crime rates and available resources.

However, community and local leaders raised concerns about the equity of VIP. Leaders cited the common sights of VIPs, such as ministers or state secretaries, receiving 2 or 3 bodyguards each, while the PNTL might at the same time budget one OPS for 2 or 3 villages. This has begun to paint a picture of the philosophy of VIP being primarily for VIPs, leaving the rest of the

population a dearth of support.

The police's adherence to a philosophy of visibility also mandates an availability for and responsiveness to emergencies in the community (including responsiveness to emergency 112 calls). However, there exists a separate issue within this responsibility for the police, wherein in the police must further handle any false statements and information given by community members and any personal use of the emergency lines by members of the police. Both of these incidences tie up police resources and contribute to a lowered image of police responsiveness and support.

FM noted a case in mid-2014 in Dili in which a woman (SK) confessed that during her colleague's work hours at the national operation center for response services, they would spend hours on the phone discussing personal matters, effectively closing off an emergency line of communication for Dili citizens.

FM has also noted that a number of police posts and stations around the country have been abandoned and in some cases used for business activities, such as the traffic police post in Bidau, Dili, and the one near the National Hospital Guido Valadares (HNGV) in Dili.

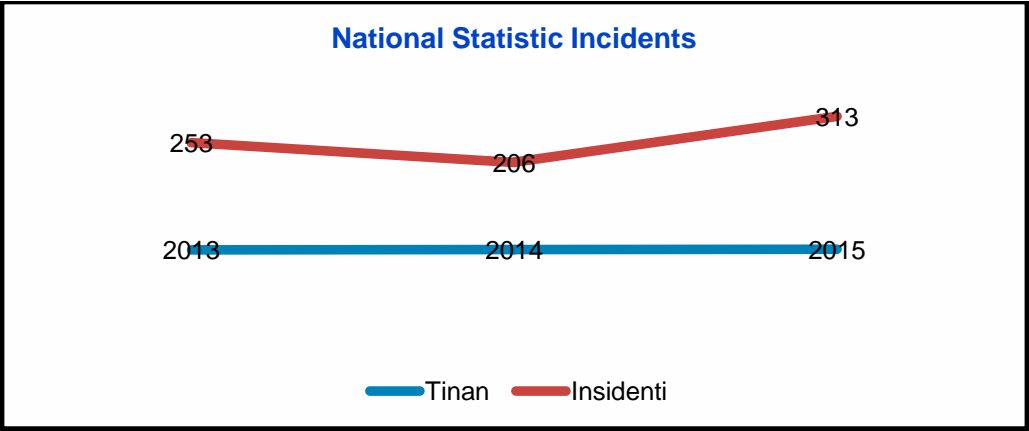
Traffic Police post of Bidau – Dili.



Photo: FM 2015.

Despite these improvements in PNTL visibility over the past year, the report released from the PNTL general command on crime rates in 2015 have shown an uptick in incidence over rates from the year prior. The report detailed crime incidence rates from 2013 through 2015, assessing what variation in crime rates has occurred since the implementation of the VIP philosophy in 2014.

National Statistic Incidents from 2013 to 2015



Source: PNTL 2015.

As shown in the graphic above, registered incidents in 2013 totalled 253, dipped down to 206 recorded incidents in 2014, but then rose to 313 cases. Two perspectives can be drawn from this; first, that even though police visibility has increased, it has not influenced or reduced crime rates overall; or second, that community trust in the police is increasing, resulting in a higher number of cases being presented to the police.

2. Involvement

Through its recent acquisition of resources for the National Community Policing Department (DNPKK), and in collaboration with multiple development partners,⁹ the PNTL general command has established the Council of District/Municipality Directorates (KDD/M) in 11 municipalities and Councils of Community Policing (KPK) in 123 villages across 11 municipalities, including Lautem and the Oecusse region.¹⁰ Volunteer security (SV) has also been placed in two villages in Ermera and Viqueque.¹¹

⁹ Development partners such as The Asia Foundation (TAF), Timor-Leste Community Policing Programme (TLCPP) and JICA.
¹⁰ Intervention of chief department of the national community policing, superintendent assistant Boavida Ribeiro at the realization ceremony learning center of the community policing in Ainaro on December 18th 2015. This intervention information is accessed by FM on social media (facebook) of the TL's community policing.
¹¹ Report of Fundasaun Mahein for the implementation of the community policing in Timor-Leste. July 2015.

KPK and SV structures involve OPS, local leaders, youths, religious leaders, veterans, businessmen, and public and private civil servants. In effect, the communities become the authors of their security protocol. KPK and SV operations are led by the village chief and OPS. The primary responsibilities of the KPK are as follows:

- Identify community problems: Conduct monthly meetings, make action plans for activities, conflict resolution, and crime prevention.
- Resolve problems: Execute aforementioned action plan.
- Reports: Assess the impact of security plans and actions.
- Use PARA mechanism for general security mechanisms (Research, analyze, respond and assess).

The activities of the KPK are particularly important in conflict resolution over issues such as land disputes. Though the role of mediator is outside the jurisdiction of crime response, it has become a critical component of KPK operations and is viewed positively in communities across Timor-Leste.

In addition, the PNTL command of Lautem recently developed security programs in the municipality known as the Integrated Commission of Municipality Community Policing (KIPKM) and, on a village level, the Integrated Commission of Village Community Policing (KIPKS).¹²

The KIPKM is led by the municipality administrator and PNTL commander. The chief assistants to the administrator and commander are the municipality secretary and assistant to the municipality PNTL commander. Members of the KIPKM are pulled from the chief sections of each state institution, department chiefs, youth leaders, local and international NGOs operating in the district, and other partners. The commission is supported by a counciling team of religious leaders, veterans and traditional leaders.

The municipality PNTL commander in Lautem has not specified how many KIPKS have been established in the district thus far.¹³ KIPKS is led by village chief and OPS, and members are pulled from all structures in the village and neighborhoods. The local commissions are supported by a council of religious leaders, veterans, and traditional leaders.

The purposes of the KIPKM and KIPKS are as follows:

- a. To work together to identify local community problems
- b. Strengthen community relations
- c. Empowering communities to solve their own localized problems
- d. Strengthening unity among local, religious, veteran, traditional, youth, and other leaders.

¹² The presentation of Lautem PNTL commander, the superintendent Marcos Sequeira. At consultation ceremony that is held by FM with the municipality (Lautem) PNTL commander on November 20th 2015.

¹³ According to municipality (Lautem) PNTL commander, the superintendent Marcos Sequeira informed that the KIPKM and KIPKS are in the development phases, however, the operational service is going on in the field.

- e. Build community trust in formal policing structures
- f. Minimize crime incidence and conflict
- g. Attract investors through enhanced security and community relations
- h. Contribute to the development of a prosperous country

The accordant activities of KIPKM and KIPKS are as follows:

- a. Meet with local, community, and youth leaders
- b. Resolve problems as they arise through traditional and cultural resolution methods of Lautem

In a meeting with FM, the PNTL commander of Lautem revealed that the majority of documented cases in the district are assaults and domestic violence, and that the implementation of KIPKM and KIPKS have corresponded with a reduced incidence rate for each of these crimes. Over the first two years, there were 158 total documented cases in 2014, with one recorded fatality, and 102 recorded incidents in 2015 with three fatalities.¹⁴ During those two years, the PNTL general command worked with community partners to expand the “visibility” of the police as part of the new VIP philosophy. Many participants in FM’s consultations and meeting provided anecdotal affirmation of the figures above, stating that there had been a marked reduction in conflict and crime over the past two years. Participants also remarked on effective collaborative efforts from the community in sharing information on local crimes and conflicts with the police, and in return the community’s increased agency in the local security process.

3. *Professionalism*

One question on professionalism in particular was posed from the actors and individuals who met with FM: How can the police develop a professional response system to effectively serve the community?

FM research results have shown that a major concern of the people was the police’s responsiveness to their emergency 112 hotline. Participants stated that although the emergency line runs through the public network, often cell tower coverage doesn’t extend to peoples and communities in rural areas, rendering the police out of reach for contact in emergencies.

Participants also raised concerns about a continued militaristic actions and temperament of the police, in conflict with the current community policing principles. FM monitoring revealed that for the past two years, communities have been terming the actual style of policing in their communities as “hit first, then ask”—a colloquial branding of police action without formal justice procedures. FM has documented high numbers of complaints specifically around the PNTL operations of HABELUN in 2014 and HANITA in 2015, though the Ombudsman of Human Rights and Justice (PDHJ) disputed the actual number of violations and infractions committed

¹⁴ The presentation of Lautem PNTL commander, the superintendent Marcos Sequeira. At consultation ceremony that is held by FM with the municipality (Lautem) PNTL commander on November 20th 2015.

by police officers.¹⁵ Despite the progress reports on the implementation of the PNTL Strategic Plan and VIP showing that many members have attended a plethora of trainings and organizations across various concentrations,¹⁶ challenges and flaws continue to exist in the PNTL's performance across the country, a sign that the VIP philosophy has not been internalized among the entirety of the force.

Challenge of Implementing VIP

1. Facilities

During FM field meeting and consultations in the municipalities, participants, when asked about the limitations of the police, expressed particular concerns over the quality of and access to facilities to support PNTL placements and visibility in the field.

First, there are a number of residences for OPS placed long distances from an officer's workplace or village. In addition, some OPS are taking on excess work and covering two to three villages alone as a result of a lack of proper OPS numbers.

Second, many OPS have not been provided proper transport to reach their workplaces and villages. Some OPS have received motorbikes to cover their areas and patrols, but many have not and have no effective means of covering their villages. In addition,

Third, the OPS lack general resources, as well. Many OPS continue to wear their former police uniforms as they've not been provided with new ones. In addition, they often lack official radio equipment to communicate clearly, and so many OPS rely on their personal cell phones to call into the main station. OPS have severely limited capacity when not fully supported and given appropriate resources. While other units within the PNTL have received "isolation funding" to support extended operations in remote areas, the OPS has not received targeted funding or support in this vein although they specifically work in remote locations across the country.

2. Performances

Infractions such as trafficking and dealing in contraband continue to undermine the public's perception of policing performance in 2016, and many communities still do not find their local police forces professional. FM monitoring has documented multiple cases over the past two years in which public outcry has arisen over PNTL illicit activities. For example, FM monitoring identified an operation in 2014 in which PNTL members within the Logistics department were complicit in off-selling the PNTL's fuel for personal profit.¹⁷ Infractions like these become

¹⁵ Report of PDHJ 2014 and 2015. Including the other 2 reports of the operations HABELUN and HANITA.

¹⁶ Report of 2014 about the progress of the PNTL strategic plan (2014-2018). Available at: <https://www.pntl.tl/wp-content/uploads/2015/07/Relatoriu-Progressu-Planu-Estratejiku-PNTL-2014.pdf>. Accessed on November 20 2015.

¹⁷ Fundasaun Mahein's monitoring of 2014 and 2015 around 12 municipalities and the especial region Oe-cusse.

especially problematic when they detract from the already scarce resources at the PNTL's and OPS' disposal—the selling off of fuel during noted shortages in fuel supply for the PNTL both damages the PNTL's professional credibility and jeopardizes PNTL operations in the future.

In another incident, at the end of 2014 authorities arrested a PNTL officer from the Logistics department who had secretly kept a cache of 1500 rounds of ammunition from the 2006 crisis in his house, along with F-FDTL military uniforms. The ammunition had been allocated for PNTL use during the crisis and some had been used in gunfights in Dili. The currently active PNTL member in question claimed in a statement to FM that the “owner of those things was her husband, and he is currently a detainee in Becora Prison from involvement in a separate case.”¹⁸ Following the crisis a government resolution had urged the PNTL to recollect all weapons, ammunition, and uniforms spread amongst the communities in Dili,¹⁹ but this PNTL had chosen instead to keep the cache in his house.

FM also identified a number of a cases of irresponsible weapons use by the PNTL, in which PNTL officer weapons were treated as “playthings” and distributed to non-PNTL persons in the community for photos and sharing on social media (Facebook). FM pointed out this particularly blatant recurrence during a meeting retreat with the PNTL on December 11th, 2015, and the PNTL General Commander, Commisary Julio de Costa Hornay, responded by appealing to all PNTL members to handle their weapons responsibly and with discretion.²⁰

At the end of 2015, authorities also arrested PNTL officers from the Border Patrol Unit (UPF) and the Special Police Unit (UEP) from the Public Order Battalion (BOP), for trafficking fireworks (fugites) across the border in government vehicles at Batugade, Mota'ain, in Bobonaro. This happened despite the PNTL's explicit forbidding of businessmen to sell fireworks across the border. An operation was held immediately after in Dili by the PNTL command to capture those intending to sell fireworks and to set them off.²¹

Concerns for Security Issue

The following summarizes the security concerns raised in FM meetings with leaders in Ainaro, Baucau, and Lautem. Local leaders in all three municipalities voiced concerns about ongoing and constant land and property disputes between families, villages, and the state. Concerns remain high as there exists no legislation to effectively regulate ownership and utilization of land and property.

¹⁸ Fundasaun Mahein's monitoring in 2014 over recollecting weapons, bullets and uniforms according to the government resolution No. 24/2014, September 1st.

¹⁹ RESOLUÇÃO DO GOVERNO N.o 24 /2014 de 1 de Setembro Sobre a Recolha de Armas, Munições, Explosivos e Fardamento

²⁰ Intervention of the PNTL general command, the commissary police Julio da Costa Hornay at the national PNTL retreat of the Police training center (CFP) Comoro – Dili, on December 11th 2015

²¹ Fundasaun Mahein's monitoring on December 2015.

Participants were also concerned about domestic violence in the forms of threats, physical abuse, and abandonment of families (all, overwhelmingly, by men). There was a noted preference to rely on traditional resolution customs, in the view that this might re-harmonize the families in conflict. This was placed in contrast with a few known cases in which formal justice was applied to the cases of domestic violence and the relationship ended in divorce. Participants saw the life of the marriage as paramount in the resolution of the issue of domestic violence.

Another concern raised was that of youth gang attacks on other gangs, individuals, and neighborhoods. Participants stressed that these incidents were often related to youths' drunkenness or use of drugs. Some of the known cases of youth attacks might also be related to martial arts gangs in Timor-Leste, even though the government has issued a resolution to immediately end all activity associated with martial arts violence. These illegal activities have continued as the gangs have continued to recruit new members.

In complement to the issues identified by local municipality voices, FM monitoring has highlighted three more security issues. Traffic accidents, involving either bike or car, continue to increase in frequency across T-L alongside a general increase in the number of vehicles on the road. Poor infrastructure and bad roads are a common cause of accidents both in Dili and in the districts.

Secondly, illegal fishing along the south coast of the country threaten local economies along the shore and has gone unaddressed by both the police and military. Community leaders in Lautem mentioned this concern as well, noting that illegal fishing has occurred in Tutuala, Lore, Iliomar, and up to the Viqueque (Uatalari-Uatucarbau) areas.

Finally, FM monitoring identified the ongoing threat of transnational crime affecting regions of the country, including such activities as human trafficking, drugs, money laundering, contraband, and illegal migration and labor. FM has recorded continued instances of many of these concerns over the past few years.

Recommendations

Under the VIP philosophy, the police and its partners have established good relations in local communities across Timor-Leste and have opened up to provide local community actors, leaders, and groups a space to participate in their local community security processes. Challenges still exist in continuing to build the professionalism and efficiency of the PNTL in line with the VIP philosophy, as the following recommendations enumerate.

FM recommends that:

1. The National Parliament Committee B continue supervising the implementation of the PNTL strategic plan 2014-2018.

2. Ministry of the Interior and PNTL general command, through the Cabinet of Inspections and Audits (GIA), and through the General Inspector of the PNTL, continues to make inspections and assessments of police services and to identify hardships and needs faced by the PNTL, in order to adjust support to fully realize the strategic purposes defined in the PNTL strategic plan 2014-2018.
3. Ministry of Interior and PNTL General Command continue investing in human resources and support for facilities in order to augment the scope of police services recently praised by the communities around Timor-Leste.
4. The public support the PNTL's VIP-focused internal development, and continue to offer constructive criticism to encourage the highest levels of efficiency and professionalism.

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